CBOE #6

LAW OF THE ROCKIES

Members
Marcus J. Lock
Jacob A. With
Kendall K. Burgemeister

Of Counsel
John R. Hill, Jr.

Associate
William P. Edwards

525 N. Main Street, Gunnison, CO 81230 | 970.641.1903
lawoftherockies.com | Fax: 970.641.1943
Email: mmarvel@lawoftherockies.com

October 2, 2020

Received
County Administration
10/20/2020
Postmarked
10/2/2020

VIA UNITED STATES CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Gunnison County Board of Equalization
200 E Virginia Ave
Gunnison, CO 81230

Re: Touchstone Ranch Land LLC Parcel # 3255-120-00-079

Dear GCBOE,

Please find the enclosed Affidavit of Janet L. Washburn. This affidavit is a supplement to the appeal submitted to you on Monday September 28, 2020.

Please contact Kendall Burgemeister or me if you have any questions.

Sincerely,

Mary Jo Marvel

Mary Jo Marvel
Paralegal
LAW OF THE ROCKIES

Enclosure (1)

AFFIDAVIT OF JANET L. WASHBURN

I, Janet L. Washburn, of Gunnison County, Colorado, being first duly sworn, state as follows:

1. I am over the age of 18 years and have personal knowledge of the facts set forth in this affidavit.

2. I am the Secretary/Treasurer of Virgil & Lee Spann Ranches, Inc. ("Spann Ranches").

3. Spann Ranches sold an approximately 13 acre parcel along Highway 135 (the "Property") to Touchstone Ranch Land LLC on September 1, 2017.

4. Prior to the sale, Spann Ranches owned and operated the Property for many years. Throughout Spann Ranches ownership, the Property was assessed as agricultural.

5. Subsequent to the sale, including in 2020, Spann Ranches has used the Property each year in the same manner that it historically used the Property, which is for short-term grazing (usually in mid-July and late-September) as the cattle are moved between other pastures owned and leased by Spann Ranches.

6. Spann Ranches also recently signed a lease to graze working horses on the Property.

FURTHER AFFIANT SAYETH NAUGHT.

Janet L. Washburn

STATE OF COLORADO)
)
COUNTY OF GUNNISON)

SUBSCRIBED and SWORN TO me before this 2 day of October, 2020, by Janet L. Washburn. Witness my hand and official seal. My Commission expires: _____

Mary Jo Marvel
Notary

MARY JO MARVEL
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #20054028754
My Commission Expires July 21, 2021

2020 REAL PROPERTY NOTICE OF DETERMINATION

Gunnison County
COLORADO

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

Date of Notice: September 11, 2020
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
R013124	2020	606	3255-120-00-079

AGENT	LEGAL DESCRIPTION
BURGEMEISTER KENDALL LAW OF THE ROCKIES 525 N MAIN ST GUNNISON, CO 812302407 OWNER: TOUCHSTONE RANCH LAND LLC	13.08A IN SE4. SEC 12 14S86W

PROPERTY CLASSIFICATION		PROPERTY OWNER'S ESTIMATE OF VALUE	ASSESSOR'S VALUATION	
			ACTUAL VALUE PRIOR TO REVIEW	ACTUAL VALUE AFTER REVIEW
Vacant			380,360	380,360
	TOTALS		$380,360	$380,360

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.

No evidence of permissive grazing has been presented

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 and personal property appeals is September 28*.

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.

*Note that this date has been amended for 2020 only as a result of Executive Order D 2020-022.

APPEAL PROCEDURES

County Board of Equalization Hearings will be held from September 1 through November 16† 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:

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 **September 28 for real property and 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 November 1, § 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 December 8, § 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 information about binding arbitration, contact the County Board of Equalization at the address above.

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.

†Note that these dates have been amended for 2020 only as a result of Executive Order D 2020-022.

PETITION TO COUNTY BOARD OF EQUALIZATION

What is your estimate of the property's value as of June 30, 2018? (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.)

$ 200

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.)

This is the same valuation as 2019, when classified as agricultural. The owner appeals the re-classification of the property as vacant land in 2020 because it was used in the same manner as it was used when owned by Spann Ranches and classified as agricultural, and because re-classification was improper under 39-1-105(5)(c).

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
	970-641-1903	9/28/2020

*Attach letter of authorization signed by property owner. Authorization included in the attached appeal.

REAL PROPERTY APPEAL FORM

Gunnison County Assessor's Office
221 N. Wisconsin Ave, Suite A
Gunnison, CO 81230

Appeals will be accepted: May 1 - June 1
Postmark deadline June 1 - In Person June 1

Office hours: 9:00 a.m. to 4:00 p.m.
Telephone Number: (970) 641-1085
FAX Number: (970) 641-7920
assessor@gunnisoncounty.org

Required Fields indicated by *

Account Number R013124

* Property Address 25000 Highway 135

* Owner's Name Touchstone Ranch Land LLC

☐ check if this is owner's new address

* Owner's Mailing Address PO Box 2476

* City State Zip Stephenville TX 76401

* Phone - Day: 254-485-2637 Evening: _____

YOU MAY ELECT TO COMPLETE THIS FORM TO APPEAL YOUR PROPERTY VALUATION OR CLASSIFICATION.

REAL PROPERTY VALUATION APPEAL: If you disagree with the "current year actual value" or the classification determined for your property, you may file an appeal by mail or in person with the County Assessor. Please refer to the Notice of Valuation for the deadline dates for filing appeals.

Completing the Real Property Questionnaire will help you determine an estimate of value for your property, which can be compared to the value determined by the Assessor. Colorado law requires consideration of the market approach to value for residential properties (includes apartments) and the cost, market, and income approaches to value for vacant land, commercial, and industrial properties.

DOCUMENTATION - REASON FOR REQUESTING A REVIEW:

The Owners request re-classification of the property as agricultural. Please see the attached memorandum.

REAL PROPERTY QUESTIONNAIRE

ATTACH ADDITIONAL DOCUMENTS AS NECESSARY.

MARKET APPROACH: This approach to value uses sales from the **appropriate time period** to determine the actual value of your property. The following items, if known, will help you estimate the market value of your property. If available, attach a copy of any appraisal or written estimate of value. Have similar properties in your immediate neighborhood sold?

DATE SOLD	PROPERTY ADDRESS	SELLING PRICE

Based on these sales and accounting for differences between sold properties and your property, state the value of your property.

$_____

COST APPROACH: (USE FOR NON-RESIDENTIAL PROPERTIES ONLY) This approach to value uses replacement construction costs from the appropriate time period to determine the value of your property. The following items, if known, will help you estimate the replacement cost of your property.

Year Built _____ Builder _____ Original Cost of Construction_____

List all changes made to your property prior to January 1 of the current year (i.e. remodeling of storefront; expansion of storage area; addition to parking, service or manufacturing area.)

DATE	DESCRIPTION OF CHANGE	COST

Is your structure in typical condition for its age?_____

If not, why ?_____

Based on the replacement cost of construction and of any changes, including depreciation, state the total value of your property:

$_____

INCOME APPROACH: (USE FOR NON-RESIDENTIAL PROPERTIES ONLY.) This approach to value converts economic net income from the appropriate time period into present worth.

If your property was rented or leased, attach operating statements showing rental and expense amounts for this property. Indicate square foot rental rate for all tenants who negotiated leases. (Attach rent schedule.)
If known, list rents of comparable properties.

If available, attach operating statements showing rental and expense amounts for comparable properties.
If an appraisal using the income approach was conducted, please attach.

*** FINAL ESTIMATE OF VALUE:** $_____

AGENT ASSIGNMENT: I authorize the below-named agent to act on my behalf regarding the property tax valuation of the property described herein for the year 2020.

Agent's Name (please print): Kendall Burgemeister Telephone Number: 970-641-1903
Please mail all correspondence regarding this protest
to the above-named agent at the following address: 525 N. Main St. Gunnison, kburgemeister@lawoftherockies.com

Owner's Signature: Nonie Casselman-Reed Date: 5-28-2020
Indicate name and telephone number for a person the Assessor may contact if an on-site inspection is necessary:

VERIFICATION: I, the undersigned owner or agent of this property, state that the information and facts contained herein and on any attachment constitute true and complete statements concerning the described property.

* Signature Nonie Casselman Reed * Date 5-28-2020

Touchstone Ranch Land LLC

R013124

Touchstone Ranch Land LLC owns the real property known as 25000 State Highway 135 (Account R013124) (the "Property"). The Property is approximately 13 acres. Touchstone acquired the Property in 2017 from Virgil and Lee Spann Ranches Inc. ("Spann Ranches"). The deed is attached as **Exhibit A**. The Property was historically classified as agricultural. Touchstone received a two-page 2020 Real Property Notice of Valuation on May 1, 2020, which states that the land classification is being changed from agricultural to vacant. The notice is attached as **Exhibit B**. Touchstone submits this appeal because it believes the Property should continue to be classified as agricultural.

The Property qualifies as agricultural land under C.R.S. § 39-1-102(1.6)(a)(I)(A).

C.R.S. § 39-1-102(1.6)(a) states: "'Agricultural land', whether used by the owner of the land or a lessee, means one of the following: (I)(A) 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 subsections (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." In turn, C.R.S. 39-1-102(13.5) defines "Ranch" as "a parcel of land which is used for grazing livestock for the primary purpose of obtaining a monetary profit. For the purposes of this subsection (13.5), 'livestock' means domestic animals which are used for food for human or animal consumption, breeding, draft, or profit."

Upon acquiring the Property from Spann Ranches Inc. in 2017, Touchstone signed an agricultural lease allowing Spann Ranches to graze cattle on the Property as part of its for-profit cattle business. The lease is attached as **Exhibit C**. Subsequent to the sale, and pursuant to the lease, Spann Ranches has used the Property each year in the same manner that it historically used the Property (while it was classified as agricultural), which is for short-term grazing (usually in mid-July and late-September) as the cattle are moved between other pastures owned and leased by Spann Ranches. The parties intend for the same use to occur in 2020.

The Property is currently the subject of a pending land use change (LUC 19-00052) for the construction of berms on the edge of the Property adjacent to Highway 135. The land use change application states that the present use of the Property is "ag," **Exhibit D**, and the narrative describing the project sates that "the site will remain agricultural," **Exhibit E**. Touchstone recently obtain a CDOT Access Permit to complete improvements to the highway access. The permit states that it is to provide "agriculture field access." **Exhibit F**.

For the years 2006-2019 (all the years for which records are available on the Assessor's website), the Property was classified as agricultural. Therefore, it was classified as agricultural for ten years preceding the year of assessment.

Accordingly, the Property meets all the requirements of C.R.S. § 39-1-102(1.6)(a)(I)(A).

The Property qualifies as agricultural land under C.R.S. § 39-1-102(1.6)(a)(IV).

C.R.S. 39-1-102(1.6)(a) states that "'Agricultural land', whether used by the owner of the land or a lessee, means one of the following:...(IV) A parcel of land, whether located in an incorporated or unincorporated area and regardless of the uses for which such land is zoned, used as a farm or ranch, as defined in subsections (3.5) and (13.5) of this section, if the owner of the land has a decreed right to appropriated water granted in accordance with article 92 of title 37, C.R.S., or a final permit to appropriated groundwater granted in accordance with article 90 of title 37, C.R.S., for purposes other than residential purposes, and water appropriated under such right or permit shall be and is used for the production of agricultural or livestock products on such land."

Similarly, the Assessor's Reference Library, Volume 3, Real Property Valuation Manual, 5.22, states: "A fourth category of land to qualify as agricultural land is described in § 39-1-102(1.6)(a)(IV), C.R.S. The qualifying criteria include the following.

- The land must be used as a farm or ranch on the assessment date, and
- The owner of the land must have a decreed right to appropriated water granted in accordance with article 92 of title 37, C.R.S., or
- A final permit to appropriated ground water granted in accordance with article 90 of title 37, C.R.S., and
- The water must be for purposes other than residential purposes, and
- The water appropriated must be used for the production of agricultural or livestock products on the land.
- If the criteria are met, the land will qualify the first year of use as a farm or ranch."

C.R.S. § 39-1-102(1.6)(a)(IV) provides an alternate basis to classify the Property as agricultural regardless of its use and classification in prior years. When Touchstone acquired the Property, it also acquired two water rights that supply water for stock watering on the Property. The deed is attached as **Exhibit G**, and the decrees are attached as **Exhibits H and I**. The water originates north of the Property, and flows through the subject Property, where it is available for stockwatering while the Spann Ranch cattle are grazing on the Property.

The Property was not properly reclassified in accordance with C.R.S. § 39-1-103(5)(c).

Subject to certain exceptions not applicable here, "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." C.R.S. § 39-1-103(5)(c). "The assessor is prohibited by § 39-1-103(5)(c), C.R.S., from changing a property's classification unless the actual use changes or the assessor discovers the classification is erroneous." Assessor's Reference Library, Volume 2, 6.8. "The assessor has the burden to prove that a property's classification has changed or that the current classification is erroneous." *Id.*

C.R.S. § 39-1-103(5)(c) also states "Subject to the availability of funds under the assessor's budget for such purpose, no later than May 1 of each year, the assessor shall inform each person whose property has been reclassified from agricultural land to any other classification of property of the reasons for such reclassification including, but not limited to, the basis for the determination that the actual use of the property has changed or that the classification of such property is erroneous."

In this instance, the Assessor has not met its burden of proving that that the actual use has changed or that the historical classification was erroneous. As stated above, the use during Touchstone's ownership has been the same as the historical use during the time period that the Property was classified as agricultural. Moreover, even if the Assessor had evidence of a change in use or erroneous classification, the notice provided on May 1, 2020 (Exhibit B) does not inform Touchstone of the reasons for reclassification as required by C.R.S. § 39-1-103(5)(c). Because the Assessor's attempt to reclassify the Property as vacant was not in conformance with 39-1-103(5)(c), the Property should remain classified as agricultural.

Conclusion

For each of the foregoing reasons, Touchstone Ranch Land LLC requests that the Property represented by Account R013124 be classified as agricultural land.

Gunnison County, CO
9/1/2017 4:00:06 PM
488

648802
Page 1 of 2
R 111.00 D 93.00

GENERAL WARRANTY DEED

Exhibit A

Virgil and Lee Spann Ranches Inc., a Colorado corporation,

whose address is 36781 US Highway 50
Gunnison, CO 81230

for ten dollars and other valuable consideration, in hand paid, hereby sells and conveys to

Touchstone Ranch Land LLC, a Texas limited liability company,

whose address is P.O. Box 2476
Stephenville, TX 76401

the following real property in the County of Gunnison, State of Colorado:

The real property described on attached **EXHIBIT A,**

with all its appurtenances and warrants the title to same, subject to: the lien for 2017 real property taxes and assessments; United States Patent(s) recorded in Book 184 at page 167; Easement set forth in instrument recorded in Book 291 at page 106; Order of Partition recorded in Book 496 at page 395; Decree recorded in Book 546 at page 926; Warranty Deed recorded as Reception No. 476445; Easement and Right of way as set forth in instrument recorded as Reception No. 500743; Easement and Right of Way as set forth in instrument recorded as Reception No. 551815; Rules and Regulations of the State of Colorado, or the Department of Highways.

Signed this 1 day of September, 2017.

Virgil and Lee Spann Ranches Inc., a Colorado corporation

By: Lee Spann
Lee Spann, President

State of Colorado)
) ss.
County of Gunnison)

The foregoing General Warranty Deed was acknowledged before me this 1 day of September, 2017, by Lee Spann, President of Virgil and Lee Spann Ranches Inc., a Colorado corporation.

Witness my hand and official seal.

My commission expires:

Notary Public

RUSSELL DILLON WAGGONER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID # 20144019305
MY COMMISSION EXPIRES MAY 09, 2018

EXHIBIT A

LEGAL DESCRIPTION

Township 14 South, Range 86 West, 6th P.M.

Section 12:

A tract of land located in the SE¼ of said Section 12, more particularly described as follows:

Beginning at the E¼ corner of said Section 12, the true point of beginning; thence North 89°11'18" West 186.16 feet along the north line of the SE¼ of said Section 12; thence South 42°14'00" West 1354.16 feet to the east right of way of Colorado Highway 135; thence South 47°46' East 427.14 feet along the east right of way of Highway 135; thence North 42°14'00" East 1165.76 feet to the east line of said Section 12; thence North 00°29'00" West 423.97 feet along the east line of said Section 12 to the E¼ corner of said Section 12, the true point of beginning;

EXCEPTING THEREFROM any and all property conveyed in Warranty Deed recorded June 27, 1997 as Reception No. 476445;

County of Gunnison,
State of Colorado.

2020 REAL PROPERTY NOTICE OF VALUATION

Gunnison County
COLORADO

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

Date of Notice: May 1, 2020
Phone: (970) 641-1085
Fax: (970) 641-7920
nnisoncounty.org
w.gunnisoncounty.org/assessor.html

Exhibit A

ACCOUNT NUMBER	TAX YEAR	TAX AREA	PARCEL NUMBER
R013124	2020	606	3255-120-00-079

PROPERTY OWNER	LEGAL DESCRIPTION
TOUCHSTONE RANCH LAND LLC PO BOX 2476 STEPHENVILLE, TX 76401-0040	13.08A IN SE4. SEC 12 14S86W #648802

PROPERTY CLASSIFICATION	PRIOR YEAR ACTUAL VALUE	CURRENT YEAR ACTUAL VALUE	+ OR - CHANGE
Agricultural	200	0	-200
Vacant Land	0	380,360	+380,360
TOTALS	$200	$380,360	+$380,160

THIS VALUE REPRESENTS A CHANGE IN LAND CLASSIFICATION FROM AGRICULTURAL STATUS

The tax bill you receive next January will be based on the current year actual value. If the Senior Citizen or Disabled Veteran Property Tax Exemption has been applied to your residential property, it is not reflected in the current year actual value shown above.

The following property characteristics are for the primary structure or land type. For a complete inventory listing, please visit the Gunnison County Assessor website. Please verify your inventory and contact us if any corrections are needed.

LAND

LAND DESCRIPTION	LAND TYPE	ACRES
10 Ac To L/T 35 Ac	Vacant	13.08

ELECTRICITY:	NOT INSTALLED AVAILABLE NEAR SITE
SEWER:	ISDS ALLOWED NOT INSTALLED
WATER:	NOT INSTALLED
SITE ACCESS:	PAVED ACCESS
	YEAR AROUND GOVT MAINTAINED

OTHER ATTRIBUTES:
SCENIC OR ABOVE AVERAGE VIEWS
BASIC FENCING

SUBDIVISION:

PRIMARY IMPROVEMENT

OCCUPANCY TYPE:	
BUILDING DESCRIPTION:	
CONSTRUCTION QUALITY:	
EXTERIOR CONDITION:	
EFFECTIVE YEAR BUILT:	
PERCENT COMPLETE:	
ABOVE GRADE LIVING AREA:	
BASEMENT:	
GARAGE:	
TOTAL IMPROVEMENTS ON ACCOUNT:	
CONDOMINIUM:	

YOU HAVE THE RIGHT TO PROTEST THE CLASSIFICATION AND/OR VALUATION OF YOUR PROPERTY – SEE BACK OF FO

VALUATION INFORMATION

Your property was valued as it existed on January 1 of the current year. The value of residential property is based on the market approach to value. Generally, the value of all other property is based on consideration of the market, cost, and income approaches to value. The appraisal data used to establish value is from the 18-month period ending June 30, 2018, § 39-1-104(10.2)(a), C.R.S. If insufficient data existed during the 18-month data gathering period, data from each preceding six-month period (up to a period of five years preceding June 30, 2018) may be utilized, § 39-1-104(10.2)(d), C.R.S.

Most property in Colorado is revalued every odd-numbered year § 39-1-104(10.2)(a), C.R.S. The assessment rate for residential property is currently 7.15%, § 39-1-104.2(3), C.R.S. A change in the projected residential assessment percentage is not grounds for protest or abatement of taxes, § 39-5-121(1), C.R.S. Generally, all other property, including vacant land, is assessed at 29%, § 39-1-104(1), C.R.S.

REAL PROPERTY PROTEST PROCEDURES

If you wish to protest, please include your estimate of property value as of June 30, 2018, and any additional documentation that you believe supports a change in the classification and/or valuation of your property. If you have any questions, please call (970) 641-1085.

BY EMAIL: Written protests submitted by email must be date-stamped by the county server no later than June 1, § 39-5-122(2), C.R.S. Proof of receipt will be sent by return email – save this receipt for your records. ***WE RECOMMEND PROTESTING BY EMAIL FOR EXPEDIENCY AND TO CONSERVE RESOURCES:*** ***assessor@gunnisoncounty.org***

BY MAIL OR FAX: Written protests must be postmarked or faxed no later than June 1, § 39-5-122(2), C.R.S. You may be required to prove that you mailed or faxed your protest on or before the June 1 deadline; therefore, we recommend that you retain proof of mailing or fax delivery confirmation receipt.

IN PERSON: In 2020, due to the COVID-19 situation, there will be no in-person appeals. The Blackstock government building and Assessor's office are closed to the public until further notice. As an alternative to emailing, mailing or faxing your appeal, you may drop your written appeal in the ballot box in the parking lot of the Blackstock building, located in the south side of parking lot, adjacent to Virginia Ave. Appeals must be dropped off no later than 4pm on June 1.

If the date for filing any report, schedule, claim, tax return, statement, remittance, or other document falls on 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.

TO PRESERVE YOUR APPEAL RIGHTS, YOUR PROTEST MUST BE EITHER POSTMARKED OR RECEIVED BY THE ASSESSOR NO LATER THAN JUNE 1 – AFTER SUCH DATE, YOUR RIGHT TO PROTEST IS LOST.

You may use this form to begin the protest process; however, written correspondence with the same basic information will suffice. This form is not necessary to be able to protest and is provided for your convenience.

What is your estimate of the property's value as of June 30, 2018? $_____

For all Commercial Property appeals: If your property was leased during the data-gathering period, please attach an operating statement indicating your income and expense amounts. **The actual income and expense information is due to the Assessor no later than July 15th.** Also, please attach rent roll as of June 30, 2018, indicating the square footage and rental rate for each tenant-occupied space.

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, photos, rent roll, appraisal, etc.)

_____

_____

In 2020, the Assessor and Board of County Commissioners have elected to use the extended appeal period in accordance with 39-5-122(2), C.R.S. *The Assessor must mail you a Notice of Determination* ***on or before August 15, 2020****. If you disagree with the Assessor's determination, or if you do not receive a Notice of Determination, you must submit a written appeal to the County Board of Equalization on or* ***before September 15, 2020*** *if you wish to continue your appeal, § 39-8-106(a)(a) and (3), C.R.S.*

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	Email Address	Date

AGENT AUTHORIZATION – *only fill out this section if a person other than the owner will be appealing*

I, the undersigned owner of the property identified above, authorize the agent named below to act on my behalf in the property value appeal protest for the tax year shown above. All protest communication will be mailed to agent.

Agent's Name (Please Print)	Signature of Property Owner	Date
Agent's Street Address	Agent's Email Address	
Agent's City, State, Zip	Agent's Telephone Number	

Exhibit C

AGRICULTURAL LEASE

THIS AGRICULTURAL LEASE, in duplicate, is executed this 1st day of September, 2017, in Gunnison County Colorado, as follows:

1. **OWNER.** The Owner is:

   Touchstone Ranch Land LLC
   P.O. Box 2476
   Stephenville, TX 76401

   Mary Casselman-Reed, aka Nonie Casselman-Reed
   Manager

   Hereafter termed "Touchstone"

2. **LESSEE.** The Lessee is:

   Virgil and Lee Spann Ranches, Inc.
   A Colorado Corporation

   Headquarters Address
   36781 West Highway 50
   Gunnison, CO 81230

   Hereafter termed "Spann".

3. **LEASE OF PREMISES.** In consideration of the mutual covenants and agreements herein set forth, Touchstone leases to Spann the right to graze cattle, together with the appurtenant water and water rights necessary for livestock grazing on lands commonly know as:

   "THE YOUNG PLACE"

   13.08 acres located NESE, SEC 12 14S86W PM And as set forth on attached Exhibit A and Exhibit B situate in Gunnison County, Colorado. Hereafter termed "Leased Premises".

4. **TERM.** The term of this lease shall be for a term to commence at 12 A.M. on September 1 2017, and to terminate at midnight on December 31, 2017.

5. **LEASE PAYMENTS.** The agreed lease payment is determined as follows:

   5.1 Spann is to keep an accurate written record of the numbers, kinds and class of livestock and rental to be based on the actual use by those livestock occurring on the Leased Premises.

   5.2 Rental to be calculated at $7.50/AUM ($0.25/hd/day), with yearling at .7 AUM, dry cows at 1 AUM and cow-calf pairs and bulls at 1.32 AUM.

5.3 A summary report of the grazing use during the grazing season and the rental due from the calculated use thereof shall be due to the LLC on or before November 15th, 2017.

6. USE OF LEASED PREMISES. Spann shall use and occupy the Leased Premises solely for the grazing of cattle and activities necessary and incidental thereto. During the term of this Lease, Spann shall conduct its agricultural operations in accordance with historic and sound agricultural practices and shall commit no waste thereon.

7. REAL PROPERTY TAXES. Touchstone will pay or cause to be paid all real property taxes levied or assessed against the Leased Premises as the same become due and payable.

8. LESSEE'S RISK OF LOSS. Spann shall assume all risk of loss or injury to its livestock during grazing and related uses on the Lease Premises. Such assumed risk shall not include any loss or injury caused by the willful, wanton, or intentional misconduct of Touchstone, its Partners, beneficiaries, members, agents, officers, employees or guests.

9. HOLD HARMLESS. Touchstone and Spann mutually covenant and agree each with the other to hold the other harmless and to indemnify the other from any and all claims, demands, damages, causes of action and judgments of any nature arising from the negligence of such party or the failure of such party, and including such party's officers, owner, members, employees, agents, invitees and guests, to comply with the terms and conditions of this lease.

10. SURRENDER OF LEASED PREMISES. Spann covenants and agrees that on the last day of this lease or any renewal or extension thereof, it will peaceably and quietly leave and surrender the Leased Premises to Touchstone in as good a condition as when received.

11. DEFAULT OF LEASE. Neither party shall have the right to cancel this Lease for the default of the other party, unless such default remains uncured to ten days following written notice to the defaulting party, of such default. In the event of such default by Spann, Touchstone, in addition to other rights or remedies they may have, shall have the immediate right to reenter upon the Leased Premises and may remove all persons and property from said Leased Premises and no such reentry shall be considered or construed to be a forcible entry on said Leased Premises.

12. RENEWAL OF LEASE. Touchstone and Spann agree to the following provisions as to the renewal of the Agricultural Lease:

12.1 This lease shall automatically renew for four successive one year terms beginning on January 1, 2018, unless the Touchstone obtains a building permit with Gunnison County for a residence on the Leased Premises. Touchstone shall, to the best of its ability, notify Spann of Touchstone's time frame for seeking a building permit and will notify Spann in writing immediately upon application to Gunnison County for such a permit.

13. ENTIRE AGREEMENT. This written Lease contains the entire and only agreement between Touchstone and Spann, and no oral statement or representations not contained in the Lease shall be of any force and effect between said parties. This Lease shall not be modified or amended in any manner except by signed written instrument by both parties.

14. APPLICALBE LAW. This Lease is entered into the County of Gunnison and Sate of Colorado, and it is agreed that the proper jurisdiction and venue of any actions pertaining to the interpretation or enforcement of this Lease shall be in the District Court of Gunnison County, Colorado.

15. FAX SIGNATURES. Each of the undersigned parties hereto agree that a signature submitted by telephone facsimile (FAX) and/or email shall be binding to the same extent as a document containing the original signature. In the event such document containing a FAX and/or email signature is utilized, the signer shall provide the actual documents containing the original signature to the appropriate parties by regular mail without delay.

IN WITTNESS WHEREOF, This Lease is executed this day first above written.

Touchstone Ranch Land, LLC

By: Mary Casselman-Reed

Mary Casselman-Reed, aka Nonie Casselman-Reed Manager

VIRIGL AND LEE SPANN RANCHES, INC., A Colorado Corporation

By: Lee L. Spann

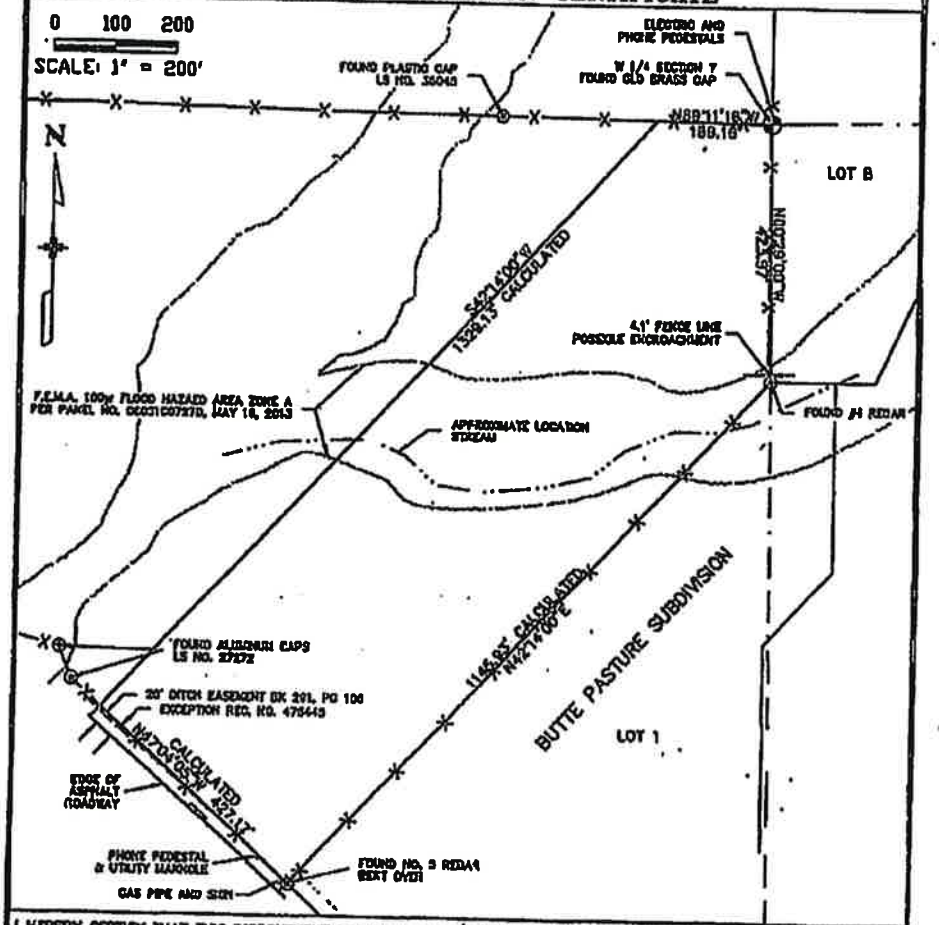
Lee L. Spann, President

Exhibit A

NCW & Associates, Inc.
P.O. Box 3688
Crested Butte, Colorado 81224
Tel. (970) 349-6364

JOB NUMBER 17148.00
CLIENT MARY CASSELMAN REED
SUBDIVISION SE1/4, SEC12, T14S, R86W, 6th
FILING --- BLOCK --- LOT ---
ADDRESS ---
DATE 8/12/17 PAGE 1 OF 1

IMPROVEMENT LOCATION CERTIFICATE



I HEREBY CERTIFY THAT THIS IMPROVEMENT LOCATION CERTIFICATE WAS PREPARED FOR MARY CASSELMAN REED OF THE PROPERTY DESCRIBED AS: TOWNSHIP 14 SOUTH, RANGE 86 WEST, 6TH P.M. SECTION 12: A TRACT OF LAND LOCATED IN THE SE1/4 OF SAID SECTION 12, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE E1/4 CORNER OF SAID SECTION 12, THE TRUE POINT OF BEGINNING; THENCE NORTH 89°11'16" WEST 188.16 FEET ALONG THE NORTH LINE OF THE SE1/4 OF SAID SECTION 12; THENCE SOUTH 42°14'00" WEST 1354.16 FEET TO THE EAST RIGHT OF WAY OF COLORADO HIGHWAY 135; THENCE SOUTH 47°45' EAST 427.14 FEET ALONG THE EAST RIGHT OF WAY OF HIGHWAY 135; THENCE NORTH 42°14'00" EAST 1165.76 FEET TO THE EAST LINE OF SAID SECTION 12; THENCE NORTH 00°29'00" WEST 423.97 FEET ALONG THE EAST LINE OF SAID SECTION 12 TO THE E1/4 CORNER OF SAID SECTION 12, THE TRUE POINT OF BEGINNING; EXCEPTING THEREFROM ANY AND ALL PROPERTY CONVEYED IN WARRANTY DEED RECORDED JUNE 27, 1997 AS RECEPTION NO. 478445, AS RECORDED AT THE GUNNISON COUNTY CLERK AND RECORDERS OFFICE, STATE OF COLORADO, PER CLIENT

AND THAT IT IS NOT A LAND SURVEY PLAT OR IMPROVEMENT SURVEY PLAT, AND THAT IT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OF FENCE, BUILDING, OR OTHER FUTURE IMPROVEMENT LINES. I FURTHER CERTIFY THAT IMPROVEMENTS ON THE ABOVE DESCRIBED PARCEL ON THIS DATE 8/12/17, EXCEPT UTILITY CONNECTIONS, ARE ENTIRELY WITHIN THE BOUNDARIES OF THE PARCEL, EXCEPT AS SHOWN, THAT THERE ARE NO ENCROACHMENTS UPON THE DESCRIBED PREMISES BY IMPROVEMENTS ON ANY ADJOINING PREMISES, EXCEPT AS INDICATED, AND THAT THERE IS NO APPARENT EVIDENCE OR SIGN OF ANY EASEMENT CROSSING OR BURDENING ANY PART OF SAID PARCEL, EXCEPT AS NOTED. EASEMENTS ARE SHOWN PER TITLE COMMITMENT NO. 017-387 PREPARED BY GUNNISON COUNTY ABSTRACT COMPANY.

COLORADO LICENSED PROFESSIONAL LAND SURVEYOR NORMAN C. WHITEHEAD 27739 8/13/17 LAND SURVEYOR & P.L.S.

BY: NORMAN C. WHITEHEAD
REGISTERED LAND SURVEYOR
COLORADO NO. 27739

EXHIBIT B
LEGAL DESCRIPTION

Township 14 South, Range 86 West, 6th P.M.

Section 12:

A tract of land located in the SE¼ of said Section 12, more particularly described as follows:
Beginning at the E¼ corner of said Section 12, the true point of beginning; thence North 89°11'18" West 186.16 feet along the north line of the SE¼ of said Section 12; thence South 42°14'00" West 1354.16 feet to the east right of way of Colorado Highway 135; thence South 47°46' East 427.14 feet along the east right of way of Highway 135; thence North 42°14'00" East 1165.76 feet to the east line of said Section 12; thence North 00°29'00" West 423.97 feet along the east line of said Section 12 to the E¼ corner of said Section 12, the true point of beginning;

EXCEPTING THEREFROM any and all property conveyed in Warranty Deed recorded June 27, 1997 as Reception No. 476445;

County of Gunnison,
State of Colorado.

LUC-19-00054

Exhibit D

GUNNISON COUNTY, COLORADO
MINOR IMPACT REVIEW PROJECT
LAND USE CHANGE PERMIT APPLICATION

GUNNISON COUNTY COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING OFFICE
221 N. WISCONSIN ST, STE D., GUNNISON, CO 81230
TELEPHONE: 970-641-0360
Website: https://www.gunnisoncounty.org/144/Community-and-Economic-Development
Email: planning@gunnisoncounty.org

DATE RECEIVED: 12/19/19
APPLICATION FEE $1,325.00 - SUBMITTED AT TIME OF APPLICATION : 12/19/19 3078

Additional fees will be assessed according to the Gunnison County Land Use Change Fee Schedule

APPLICANT: Rask Dietrich / Dietrich Dirtworks + Construction LLC

MAILING ADDRESS: PO Box 4372

CITY:	**STATE:**	**ZIP:**
Crested Butte	CO	81224

PHONE (day):	**(evening):**
275-0201	275 0201

FAX:	**E-MAIL ADDRESS:**
NA	dietrichdirtworks@hotmail.com

PROPERTY OWNER (If other than applicant, a copy of a contract of sale or lease between applicant and owner, or a notarized letter from the property owner consenting to this application, must be submitted.):
NAME: ~~Same as above~~ Touchstone Ranch Land LLC

MAILING ADDRESS: PO Box 2472

CITY:	**STATE:**	**ZIP:**
Stephenville	TX	76401-0040

PHONE (day):	**(evening):**
254-485-2637	Same

FAX:	**E-MAIL ADDRESS:**
NA	nonie.1225@yahoo.com

PRIMARY CONTACT PERSON and AUTHORIZED REPRESENTATIVE (The person the Community Development Department should contact regarding scheduling of meetings and information for this application. A **NOTARIZED LETTER** from the property owner authorizing the representative must be submitted.)

NAME: Rask Dietrich

MAILING ADDRESS: PO Box 4372

CITY:	**STATE:**	**ZIP:**
Crested Butte	CO	81224

PHONE (day):	**(evening):**
275-0201	275.0201

SCANNED

PROPERTY LOCATION and LEGAL DESCRIPTION OF PROPERTY:

1. **Legal Description.** Cite lot and block or tract numbers, mining claim or homestead references; attach copy of deed and/or metes and bounds description(s).
   See Attached / 13.08 A IN SE4 SEC 12 T14S R86W #648802

2. **Property Address.** 25000 State Highway 135

3. **Common Description (include mileage from highway or County road, or other recognized landmarks).**
   Across the street from Riverland Industrial Park.

AFFECTED LANDOWNERS. List all landowners and land uses that are within 500 feet of the boundaries of the entire parcel on which the land use change is proposed, including all properties separated from the parcel by a road or would be adjacent if the road did not exist. The best-available, most current information of this listing of current owners is in the Gunnison County Assessor's Office:

AFFECTED LANDOWNER'S NAME	PARCEL LOCATION RELATIVE TO PROPOSED LAND USE CHANGE PARCEL	CURRENT LAND USE ON ADJACENT PARCEL
See Attached		

PROJECT DESCRIPTION. Describe in detail what the applicant wants to do on the parcel, including new uses, division of land, adjustment of boundaries, expansion of existing uses, number of units, estimated amount of new traffic, new structures to be constructed, proposed phases and a description of off-site resources and haul routes (including those used by vehicles related to construction) necessary to accomplish the project. If the proposed land use change is a subdivision, identify the use of each lot (single family residence, duplex, commercial, etc.):

We want to finish the landscape berms as shown on the site plan. There will be no on-site material processing. If additional material is needed to finish the berms, it will be hauled in from various construction sites via Hwy 135.

MINING AND CONSTRUCTION ACTIVITIES. As applicable, information pursuant to the individual sections of Division 9-400: *Exploration, Extraction and Processing of Minerals and Construction Materials.*

None

COMMERCIAL AND INDUSTRIAL USES. As applicable, information pursuant to the individual sections of Division 9-300: *Commercial and Industrial Uses.*

None

PRESENT LAND USE: identify present land uses and locations and sizes of structures that exist on the property:

Ag

IDENTIFY PREVIOUSLY-APPROVED USES. List Land Use Change Permits and/or subdivision approval have been previously approved for the property, and the year in which they were approved.

Ag

CHARACTERISTICS and CURRENT CONDITION OF LAND. List physical characteristics and conditions of the land, including streams, irrigation ditches, ponds, soils, roads, vegetation, geologic hazards, any work that has been done to clear the property, etc.)

Partially Constructed Berms

PROJECT DESIGN. As applicable, all elements of the project design must address and comply with the individual sections of Article 13: *Project Design Standards* in the *Gunnison County Land Use Resolution*; the staff will advise the applicant which of these requirements apply to a specific application:

SECTION 13-103: *General Site Plan Standards and Lot Measurements.*
SECTION 13-104: *Setbacks from Property Lines and Road Rights-of-Way.*
SECTION 13-105: *Residential Building Sizes and Lot Coverages.*
SECTION 13-107: *Installation of Solid-Fuel-Burning Devices.*
SECTION 13-108: *Open Space and Recreation Areas.*
SECTION 13-109: *Signs.*
SECTION 13-110: *Off-Road Parking and Loading.*
SECTION 13-111: *Landscaping and Buffering.*
SECTION 13-112: *Snow Storage.*
SECTION 13-113: *Fencing.*
SECTION 13-114: *Exterior Lighting.*
SECTION 13-115: *Reclamation and Noxious Weed Control.*
SECTION 13-116: *Grading and Erosion Control.*
SECTION 13-117: *Drainage, Construction and Post-Construction Storm Water Runoff.*
SECTION 13-118: *Water Impoundments.*
SECTION 13-119: *Standards to Ensure Compatible Uses.*

ADDITIONAL SUBMITTALS BASED UPON INFORMATION AVAILABLE ON MAPS USED BY THE COUNTY. If a land use change is proposed on a parcel located within any of the following areas additional submittals may be required to be submitted (Section numbers refer to sections in the *Gunnison County Land Use Resolution*). The Community Development Department will provide assistance to the applicant to determine the specific information that must be submitted:

1. **LOCATION OF SITE WITHIN FLOODPLAIN HAZARD AREA.** As applicable, an application proposing a land use change on a parcel located within a floodplain hazard area, pursuant to Section 11-103: *Development in Areas Subject to Flood Hazards.*
2. **LOCATION OF SITE WITHIN GEOLOGIC HAZARD AREA**. As applicable, an application proposing a land use change on a parcel located in a geologic hazard area may be required to submit a geotechnical report that evaluates and predicts the impact of specific geologic conditions on the proposed land use change and measures to mitigate these hazards, pursuant to Section 11-104: *Development in Areas Subject to Geologic Hazards.*
3. **LOCATION OF SITE WITHIN WILDFIRE HAZARD AREA.** As applicable, an application proposing a land use change on a parcel located within a wildfire hazard area, pursuant to Section 11-105: *Development in Areas Subject to Wildfire Hazards.*
4. **LOCATION OF SITE WITHIN AREA POTENTIALLY AFFECTED BY WETLANDS AND WETLANDS PERMITTING.** As applicable, an application proposing a land use change on a parcel located in an area in which there are wetlands, pursuant to Section 11-107: *Protection of Water Quality.*
5. **LOCATION OF SITE VISIBLE FROM RIDGELINE VANTAGE.** As applicable, an application proposing a land use change that is visible from a ridgeline vantage, pursuant to Section 11-108: *Standards for Development on Ridgelines.*
6. **DEVELOPMENTS IMPACTING AGRICULTURAL LANDS**. If a proposed project adjoins agricultural lands, involves land through which irrigation ditches flow, or over which there are general or exclusive easements for stock drives, the application shall address the requirements of Section 11-109: *Development That Affects Agricultural Lands*, and Section 15-103: *Right-to-Ranch Policy* which shall identify, in written and/or graphic form, the following:
7. **AGRICULTURAL LAND OWNER**. The location(s) and name(s) of owner(s) of any agricultural land(s) adjoining or possibly impacted by the proposed land use change.
   a. **AGRICULTURAL DITCHES.** The location(s), name(s), name(s) of owner(s), size(s), and decreed capacity(ies) of any agricultural ditch crossing or adjoining the development property, as available from the Colorado Division of Water Resources, or ditch commissioner's records.
   b. **EASEMENTS**. The location of historical easements used to gain access to headgates, ditches, and fences for maintenance or operations.
   c. **LIVESTOCK DRIVES AND FENCELINES.** Historic or recorded stock drive easements crossing or adjoining the development property, including the location of any existing fences along property lines, and the location of new fences or other obstacles proposed to be built across any such stock drive.
8. **DEVELOPMENT ON LAND BEYOND SNOWPLOWED ACCESS.** As applicable, an application that proposes development at a location that currently receives no snowplowing services for access, pursuant to Section 11-110: *Development of Land Beyond Snowplowed Access.*
9. **DEVELOPMENT ON LAND ON AN INHOLDING WITHIN NATIONAL WILDERNESS.** As applicable, an application that proposes development on an inholding within a National Wilderness Area, pursuant to Section 11-111: *Development on Inholdings in the National Wilderness.*
10. **DEVELOPMENT ON PROPERTY ABOVE TIMBERLINE.** As applicable, an application that proposes development on a parcel located above timberline, pursuant to Section 11-112: *Development on Property Above Timberline.*

VICINITY MAP: (Submit 12 copies). The attached sample vicinity map can be used as a guide. Minimum scale of 1"=100' is preferred. Sheet size cannot exceed 34" x 36". The following are required to be included on a vicinity map:

1. **PROPERTY LOCATION AND NEARBY PARCEL SIZES AND LAND USES**. Location of the property on a United States Geological Survey quadrangle map or on a recorded plat if the proposed development is within an approved subdivision, with the location highlighted so that it is easy to see, and that clearly shows sizes of parcels and land uses within a half-mile of the proposed project.
2. **ROADS**. All U.S. and state highways and nearest County or Forest Service, Bureau of Land Management, and/or subdivision/private roads that provide access to the proposed project.
3. **EASEMENTS.** Easements recorded or historically used that provide access to or across, or other use of, the property.

4. **BOUNDARIES OF DISTRICTS, MUNICIPALITIES OR SUBDIVISIONS**. Locations of special district boundaries, municipalities or residential subdivisions within a half mile of the property.
5. **PROXIMITY OF MINING OR PROCESSING ACTIVITY**. Any parcel located within 1,000 feet of the property proposed for land use change on which there exists an operation involving mineral exploration or extraction or construction materials processing.

SITE PLAN/LAYOUT. (Submit 12 copies.) This is a drawing; the attached sample site plan can be used as a guide. Minimum scale of 1"=100' is preferred. Sheet size cannot exceed 34" x 36". When multiple sheets are used, provide an index sheet stating the contents of each sheet. All the listed information MUST be shown on the drawing before you can be scheduled to meet with Planning Commission.

1. **ALL PROPERTY PROPOSED FOR DEVELOPMENT**. Include all land proposed for immediate and anticipated for future development. This can be a simple, hand-drawn layout, but it must be legible, clearly marked, drawn to scale, and signed and dated by the person who drew it.
2. **PHASING.** Any proposed phases of the development, and their timing.
3. **TOTAL ACREAGE OF CONTIGUOUS PROPERTY OWNED BY THE APPLICANT.** Total acreage and location of all contiguous property owned by the applicant.
4. **TOTAL ACREAGE IN PROPOSED LAND USE CHANGE PERMIT AREA**. Total acreage of the site on which the applicant wants to obtain approval for the Land Use Change Permit.
5. **ADJACENT LOT SIZES.** Lot size(s) of properties adjacent to and in the impact area of the site proposed for the land use change.
6. **ADJACENT LAND OWNERS.** Names and actual land uses of adjacent landowners (including federal, State of Colorado and other publicly owned lands), to the site (in addition to the separate narrative listing). This includes properties that may be across a road, stream or river from the applicant's property.
7. **UTILITY LOCATIONS IN AREA**. Location of all existing utilities on the property (septic tanks, wells, electric, gas, telephone or cable lines) that will serve the property.
8. **TOPOGRAPHIC FEATURES**. Streams, lakes, ponds, wetlands, contour lines and elevations, any prominent ridgelines, and any other significant visual resource areas on the property.
9. **LIVESTOCK DRIVES AND FENCELINES**. Historic or recorded stock drive easements crossing or adjoining the development property, including the location of any existing fences along property lines, and the location of new fences or other obstacles proposed to be built across any such stock drive.
10. **IRRIGATION DITCHES**. The location(s), and name(s), of any irrigation ditch crossing or adjoining the development property, as available from the Colorado Division of Water Resources, or ditch commissioner's records.
    ✓ **There are no irrigation ditches on or adjacent to the subject parcel.**
11. **DRAINAGE**. Drainage patterns, on and adjacent to the project property. See site plan
12. **DRIVEWAYS AND PARKING**. Driveways/parking areas, both existing and proposed. NA
13. **EXISTING STRUCTURES**. Locations and sizes of existing structures. NA
14. **PROPOSED STRUCTURES**. Locations and sizes of proposed structures. NA
15. **BOUNDARIES.** Boundaries and related measurements. See site plan

ACCESS: Indicate the name of the road or highway (name and number) that is the primary access for the proposed land use change. If either a County Access Permit or a Colorado Department of Transportation Highway Access Permit exists for existing access, submit a copy of the permit. Submit copies of deeded easements over the area of private or public lands that will provide access to the parcel proposed for land use change.

1. County Access Permit attached: NA
2. Colorado Department of Transportation Highway Access Permit attached: NA
3. Easement documents attached: NA

TRAFFIC: Estimate traffic to be generated by the proposed project, including whether it will be residential, commercial or industrial, or a mix of all uses, and the estimated numbers of vehicle trips per day.

1. Residential trips (estimate ten trips per day per dwelling unit): 0
2. Commercial or industrial uses (describe type and/or weight of vehicles, estimated trips per day and time of day trips 0 will occur):
3. Easement documents attached: NA

_____ **ROAD SYSTEM.** If the development is to include a road or roads, location and design, must be submitted with this application, in compliance with Section-103: *Road System* and the *Gunnison County Specifications for Road and Bridge Construction Standards.*

_____ **TRAILS.** If the parcel on which the development is proposed is land over which there is a public trail, the application must comply with Section 12-104: *Trails.* Applicants also are encouraged to include public trails and other amenities for non-motorized travel in an application to link existing adjacent public trails or trails easements, and should provide information pursuant to that section if they are interested in providing such trails.

WATER SUPPLY. Indicate which of the following will be used to supply water for the proposed use (s):

_____**WILL TIE ONTO AN EXISTING CENTRAL SYSTEM.** Indicate the name of the municipality, district or other existing system which will provide the service. Attach a copy of a notarized letter of intent to provide, signed agreement or contract between the applicant and the supplier indicating the amount of water and conditions of tie-on.

_____**WILL PROVIDE NEW CENTRAL SYSTEM.** Attach copies of approved well permits, court decrees, augmentation plan, or other deeded water rights. Indicate what operational system is proposed, including treatment options and proposed plans for operation and maintenance, and including information about water available for fire suppression.

_____**WILL HAVE AN INDIVIDUAL WELL OR SPRING SYSTEM.** List, and attach copies of approved well permits, court decrees, augmentation plans, or other deeded water rights. If the source of the supply is not located on your property, indicate on the vicinity map where it is located.

_____ **WATER AUGMENTATION PLAN**. If the Colorado Division of Water Resources requires that a plan of water augmentation be approved for the project, a copy of the application for the augmentation, as submitted to the Division.

_____**SUBDIVISION WATER SUPPLY INFORMATION SUMMARY SHEET.** If the application is for a subdivision, complete the attached Colorado Division of Water Resources State Engineer's Office Memorandum and *Water Supply Plan Information* for subdivisions. The County is required to submit this information to the Division for review.

FIRE PROTECTION. An applicant for a land use change classified as a Minor Impact project that is located in a specific fire protection district must contact the district before submitting the application, for the purpose of being informed of the District's design and construction standards that will apply to the application. Section 12-107: *Fire Protection.*

- ☒ **Parcel located in Crested Butte Fire Protection District**
- ☐ **Parcel located in Gunnison County Fire Protection District**
- ☐ **Parcel located in Carbondale and Rural Fire Protection District**

WASTEWATER TREATMENT:

☐ **WILL TIE ONTO AN EXISTING CENTRAL SYSTEM.** Indicate which system (municipal, special district, subdivision, as applicable), and attach a copy of a notarized letter of the service provider's intent to provide, or contract between applicant and the provider that the provider has capacity and is willing to provide.

☐ **WILL PROVIDE NEW CENTRAL SYSTEM.** Indicate what operational system is proposed, including treatment options and proposed plans for operation and maintenance, as required by the Colorado Department of Public Health and Environment.

☒ **ONSITE WASTEWATER TREATMENT SYSTEM(S).** Contact the Gunnison County Environmental Health Office to determine if your existing system is adequate for the proposed use, and/or requirements for any new system. You will be required to pay the standard site-visit costs that may be necessary for that office to review your proposed site. An onsite wastewater treatment system permit will be issued only after a land use change permit has been approved, unless the Community Development Department approves the issuance of a system repair permit for an existing system.

MINERAL RESOURCES:

Is this property known to contain, or reasonably believed to contain mineral resources?

☐ Yes ☒ No

Has this area been the site of underground or surface mining activity in the past?

☐ Yes ☒ No

Has an original patent been issued to this property under the mining laws of the United States or Colorado?

☐ Yes ☒ No

On a separate sheet, list the owners or lessees of underlying mineral estates, if applicable.

PROTECTIVE COVENANTS, CONDOMINIUM OR TOWNHOME DECLARATIONS, OR DEED RESTRICTIONS. Any existing, or a draft of proposed, protective covenants, a condominium declaration or deed restrictions that will be imposed on the development.

☐ Covenants and/or deed restriction document attached.

☐ Homeowners'/ property owners' association letter attached

☒ Not applicable.

✓ **COPY OF PROPERTY TAX CERTIFICATE.** Copy of certification from the Gunnison County Treasurer's Office indicating that all real property taxes applicable to the subject parcel on which the land use change is proposed have been paid up to the year in which approval is under consideration. Copy of certification from the Gunnison County Treasurer's Office indicating that all real property taxes applicable to the subject parcel on which the land use change is proposed have been paid up to the year in which approval is under consideration.

NA **LOCATION OF SITE WITHIN SPECIAL GEOGRAPHIC AREA OR DISTRICT.** As applicable, an application proposing a land use change on a parcel located within a designated Special Area or special district may be required to comply with regulations of that Area or district. The Community Development Department will assist the applicant in determining if the property lies within a district or special geographic area, and if so, what regulations apply.

25000 Highway 135 Land Use Application

Exhibit E

LUR SECTION 9-403: PERMIT SUBMITTAL REQUIREMENTS FOR MINING OPERATIONS

E. INFORMATION SUBMITTALS FOR MINOR AND MAJOR IMPACT PROJECTS

1. IDENTIFICATION OF MINERAL OR CONSTRUCTION MATERIAL.
No material will be excavated.

2. MINING OPERATIONS PLAN.
There will be no extraction, rock crusher, asphalt plant or cement batch plant.
Attached is a plan that shows where import material will be placed as landscaping berms.
There will be a temporary stock pile of screened topsoil of approximately 15 feet in height.

3. RESTORATION AND RECLAMATION PLAN
See the Reclamation Plan. The DRMS does not require a permit. See attached letter.

4. TOPOGRAPHY.
The existing and proposed topography is shown on the Reclamation Plan.

5. VEGETATION.
Existing vegetation consists of native grasses. The proposed vegetation will consist of spruce trees, shrubs and native grasses.

6. ESTIMATED COSTS.
$25, 000 to $30,000

7. STORM WATER MANAGEMENT PLAN.
A storm water management plan is not required. The area of disturbance is less than one acre. Silt fences and or erosion control logs will be placed downhill of the work site. There are no areas of concentrated flow in the work area.

8. EMISSION CONTROL PLAN.
The erosion control is shown on the Reclamation Plan and consists of silt fence and/or erosion control logs placed around the down hill edge of the disturbed area.

9. DUST CONTROL PLAN.
The plan is to build the berms as quickly as possible, revegetate as soon as possible and to not move material when winds are above 20 mph.

10. ACCESS AND TRANSPORTATION PLAN.

a. IDENTIFICATION OF PROPOSED HAUL ROUTE(S)
The route to the project site is from State Highway 135 through an existing access gate. It is estimated that there will be one mobilization in and one mobilization out, 3 employee trips in the a.m. and 3 trips out in the p.m., and 6 truck trips per day. There is no pit.

b. ALTERNATIVE TRANSPORTATION MODES.
There are no reasonable alternative modes of transportation.

c. EMPLOYEE TRANSPORTATION.
The traffic impact of this project will not adversely impact public infrastructure.

d. TRAFFIC STUDY.

Traffic counts were provided to the Colorado Department of Transportation as part of the access permit application. It is anticipated that there will be 18 to 20 trips per day while dirt is being imported. Once the material is imported, there will be approximately 6 trips per day.

1. IMPROVEMENTS COMPLETED BY APPLICANT.

Improvements are not required.

2. IMPROVEMENTS ENSURED BY DEVELOPMENT IMPROVEMENT AGREEMENT.

Improvements are not required.

3. IMPACT FEES FOR DETERIORATION CAUSED BY MINING OPERATIONS.

This project will not significantly deteriorate the existing road. Impact fees should not be required.

11. HOURS OF OPERATION.

The proposed hours of operation are between 7 a.m. and 7 p.m. Monday through Saturday.

12. ENVIRONMENTAL IMPACT MITIGATIONS.

The operation is temporary. The noise will be similar to home construction activities except for it being a shorter time frame. The topsoil screening operation is over 700 feet to the nearest residential house on the same side of the highway and over 400 feet to the closest residential unit across Highway 135 in Riverland Industrial Park. Operations will be stopped when winds are in excess of 20 mph.

13. IMPACTS TO WATER QUALITY.

The project is not near any bodies of water. Silt fence and/or erosion control logs will be placed along the downhill edge of the project as shown on the erosion control plan.

14. FIRE PROTECTION PLAN.

Other than normal construction vehicles and machines there are no flammable materials stored on site.

15. CULTURAL SURVEY.

A cultural survey was not prepared. The site is 70 feet from the edge of Highway 135 and is on undisturbed ground.

16. VISUAL IMPACT ASSESSMENT.

The construction of the berms will be visible from Highway 135. The final berms will be at a height that will screen the majority of highway and highway noise from the property. The berms will not be of a height that will impact visual resources.

17. BLASTING LICENSE.

There will be no blasting on the site.

18. WATER SUPPLY.

The only water that will be used is to water the trees until they are established. The grass areas will be mulched and will not require watering. Water will come from an offsite source.

19. FUTURE LAND USES.

The site will remain agricultural.

25000 Highway 135 Land Use Application

LUR SECTION 9-404: SITE LOCATION AND SETBACKS FOR MINING OPERATIONS

D. SETBACKS.

1. SETBACKS FOR CONSTRUCTION MATERIALS PROCESSING OPERATIONS.

a. CENTERLINE OF PUBLIC ROAD.

This is a temporary operation and the setback to the topsoil screen is located approximately 300 feet from the centerline of Highway 135.

b. STANDARDS FOR TEMPORARY GRAVEL OPERATIONS FOR A SPECIFIC ROAD PROJECT.

There is no gravel extraction or processing as part of this project.

1. PROJECT ADJACENT TO IMPROVEMENT PROJECT.

The is no extraction of materials on the site.

2. TEMPORARY.

The berms will be planted and mulched within 1 month of the completion of the berms.

3. WRITTEN AGREEMENT WITH ROAD JURISDICTION.

An access permit is provided by Colorado Department of Transportation.

4. LANDSCAPING.

The berms are landscaped berms.

c. NO STORAGE WITHIN SETBACKS.

Machines will be stored more than 140 feet from the centerline of Highway 135.

d. WATER BODY.

All the topsoil screening is over 100 feet (250 feet) from a water body.

e. FEDERALLY DESIGNATED WILDERNESS AREAS, NATIONAL PARKS OR RECREATION AREAS, PUBLIC PARKS, FEDERAL LANDS CAMPGROUNDS

The topsoil screening is over 1000 feet from the above sites.

f. DEDICATED OPEN SPACE OR CONSERVATION EASEMENTS.

The topsoil screening is over 125 feet from the above sites.

g. RESIDENTIAL STRUCTURES.

The topsoil screening is over 125 (400 feet) feet from the closest residential structure

1. **CRUSHER, ASPHALT/BATCH PLANT FURTHER LIMITED.**

The will be no crusher, asphalt or batch plant on the site.

h. PUBLIC AND CIVIC BUILDINGS.

The topsoil screening is over 1000 feet from the above sites.

i. CEMETERY.

The topsoil screening is over 300 feet from the above site.

j. SENSITIVE WILDLIFE HABITAT.

A wildlife map generated from the County GIS map is included and shows that the property is in a "low and none" area.

k. ADJACENT PROPERTY, IRRIGATION DITCH OR ROAD RIGHT OF WAY.

The topsoil screening is over 30 feet from the above.

2. SETBACKS FOR MINING OPERATIONS OTHER THAN CONSTRUCTION MATERIALS PROCESSING.

There is no mining on this site.

3. WAIVER TO REDUCE SETBACK REQUIREMENTS.

The is no need for a waiver.

COLORADO DEPARTMENT OF TRANSPORTATION

STATE HIGHWAY ACCESS PERMIT

Exhibit F

CDOT Permit No.	State Highway No / Mp / Side
320045	135A / 25.055 / Right

Permit Fee	Date of Transmittal	Region / Section / Patrol / Name	Local Jurisdiction
$50.00	05/05/2020	3 / 02 / 2L26 Jeff Schooley	Crested Butte

The Permittee(s):

Nonie Reed
PO Box 2476
Stephenville, Texas 76401
(254) 485-2637

The Applicant(s):

Rask Dietrich
PO Box 4372
Crested Butte, Colorado 81224
(970) 275-0201

is hereby granted permission to have an access to the state highway at the location noted below. The access shall be constructed, maintained and used in accordance with this permit, including the State Highway Access Code and any attachments, terms, conditions and exhibits. This permit may be revoked by the Issuing Authority if at any time the permitted access and its use violate any parts of this permit. The issuing authority, the Department and their duly appointed agents and employees shall be held harmless against any action for personal injury or property damage sustained by reason of the exercise of the permit.

Location: Located on the east side of Hwy 135 A approximately 240 feet north of MP 25 and N. Riverland Dr.

Access to Provide Service to: (Land Use Code)	(Size)	(Units)
997 - Agriculture Field Access	**1**	**DHV**

Additional Information:

Field Access

MUNICIPALITY OR COUNTY APPROVAL

Required only when the appropriate local authority retains issuing authority.

Signature	Print Name	Date	Title

Upon the signing of this permit the permittee agrees to the terms and conditions and referenced attachments contained herein. All construction shall be completed in an expeditious and safe manner and shall be finished within 45 days from Initiation. The permitted access shall be completed in accordance with the terms and conditions of the permit prior to being used.

The permittee shall notify Justin Mangum 2L4 with the Colorado Department of Transportation, at (970) 596-2542 at least 48 hours prior to commencing construction within the State Highway right-of-way.

The person signing as the permittee must be the owner or legal representative of the property served by the permitted access and have full authority to accept the permit and its terms and conditions.

Permittee Signature:	Print Name	Date
	Rask Dietrich	5-6-20
Co-Permittee Signature: (if applicable)	Print Name	Date

This permit is not valid until signed by a duly authorized representative of the Department.
COLORADO DEPARTMENT OF TRANSPORTATION

Signature	Print Name	Title	Date (of issue)

Copy Distribution: Required: 1.Region 2.Applicant 3.Staff Access Section 4.Central Files

Make copies as necessary for: Local Authority, Inspector, MTCE Patrol, Traffic Engineer

Previous editions are obsolete and may not be used

Gunnison County, CO
9/1/2017 4:00:09 PM
388

648803
Page 1 of 1
R 13.00 D 0.00

SPECIAL WARRANTY DEED

Virgil and Lee Spann Ranches Inc., a Colorado corporation,

Exhibit G

whose address is 36781 US Highway 50
Gunnison, CO 81230

for ten dollars and other good and valuable consideration, hereby sells and conveys to

Touchstone Ranch Land LLC, a Texas limited liability company,

whose address is P.O. Box 2476
Stephenville, TX 76401

the following water rights in the County of Gunnison, and State of Colorado,

.05 c.f.s. of water in the Clayton Spring and Tank, as decreed in Case No. W-1530, Water District No. 59, Water Division No. 4, County of Gunnison, State of Colorado,

and

Clayton Wastewater Ditch as decreed in Case No. 98 CW 142, Water Division No. 4, County of Gunnison, State of Colorado,

with all its appurtenances, and warrants the title to same against any person or party claiming any interest in the above described water rights by, through or under the grantor, subject to the lien for 2017 and subsequent real property taxes and assessments.

Signed the 1 day of Sept, 2017.

Virgil and Lee Spann Ranches Inc., a Colorado corporation

By: _____
Lee Spann, President

STATE OF Colorado)
) ss.
COUNTY OF Gunnison)

The foregoing Special Warranty Deed was acknowledged before me this 1 day of September, 2017, by Lee Spann, President of Virgil and Lee Spann Ranches Inc., a Colorado corporation.

Witness my hand and official seal.

My commission expires:

RUSSELL DILLON WAGGONER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID # 20144019305
MY COMMISSION EXPIRES MAY 09, 2018

_____
Notary Public

IN THE DISTRICT COURT IN AND FOR

WATER DIVISION NO. 4

STATE OF COLORADO

Case No. W-1530

Exhibit H

IN THE MATTER OF THE APPLICATION FOR WATER RIGHTS OF VIRGIL AND LEE SPANN RANCHES, INC. IN THE GUNNISON RIVER OR ITS TRIBUTARIES, IN THE COUNTY OF GUNNISON) RULING OF WATER REFEREE

The applicant, Virgil and Lee Spann Ranches, Inc., Route 4 Box 23, Gunnison, Colorado 81230, requests the right to use spring water for domestic and stock watering purposes. Filed December 19, 1972.

The Spann Ranch is a large cattle operation with widespread range area. Each of the springs applied for is a small seep spring which originates and dissipates on property owned by the claimant. The quantity was estimated and since the application was submitted the owners have revised the quantities to more accurately fit the intended use; and, it is the revised figures which will appear in each decree.

Each spring site is and has been a cow camp which provides domestic and stock water in the ranching operation.

FINDING OF FACT

The Clayton Spring and Tank has as a source of water supply a small spring on the Gunnison River Watershed in Gunnison County and Water District No. 59.

The diversion, which is on the spring, is described as being located 1150 feet from the West Section Line and 600 feet from the South Section Line in the Southwest Quarter Southwest Quarter of Section 6, Township 14 South, Range 85 West, N.M.P.M.

The diversion consists of a collection facility for domestic purposes and thence into a stock tank for stock watering purposes.

.05 c.f.s. of water is claimed as having been used for the stated purposes since May 1, 1926.

No opposition has been filed.'

R U L I N G

IT IS THE RULING OF THE REFEREE that the statements made in the application are true, that water has been appropriated and applied beneficially, and that the Clayton Spring and Tank is APPROVED AND GRANTED an ABSOLUTE DECREE not to exceed .05 c.f.s. of water for domestic and stock watering purposes, with an appropriation date of May 1, 1926.

DATED 7-24-73

E. L. WILSON

No protest was filed in this matter. The foregoing ruling is confirmed and approved, and is made the Judgment and Decree of this court.

E L Wilson
Water Referee
Division No. 4

DATE OF MAILING
May 15 2000

Filed in the District Court
Water Division 4
MAY 15 2000
Kay Phillips, Clerk of Court

DISTRICT COURT, WATER DIVISION NO. 4, STATE OF COLORADO

JUN 2 5 2000

Case No. 98 CW 142

Exhibit I

FINDINGS OF FACT AND RULING APPROVING ABSOLUTE AND CONDITIONAL WATER RIGHTS. AND DECREE

CONCERNING THE APPLICATION FOR WATER RIGHTS OF VIRGIL AND LEE SPANN RANCHES, INC.,

in Gunnison County, Colorado.

THIS MATTER comes on for determination of the application for water rights filed by Virgil and Lee Spann Ranches, In., a Colorado corporation, by its attorney, Kenneth L. Spann, Esq., which application was filed on October 26, 1998.

FINDINGS OF FACT

1. All notices required by law pertaining to the filing of this application have been given. The referee has jurisdiction over this matter, has reviewed the application and supporting materials, and has been fully advised in the premises.

2. The time for filing of Statements of Opposition has expired. The only such statements filed were that of Whetstone Vistas LLC, which opposition was filed December 30, 1998. This Statement of Opposition has been withdrawn, pursuant to that certain Stipulation dated August 11, 1999 which has been filed with the Court.

3. Applicant Spann Ranches is the owner of ranch land within the drainage of the East and Slate Rivers in Gunnison County, which ranch land is used for the production of livestock, hay and pasture.

4. Applicant Spann Ranches initiated the appropriation of water for irrigation and stock watering purposes for the Clayton Ditch by excavating and cleaning the diversion works and the old remnant ditch serving its property, and thereafter applying said water directly to its lands for irrigation and stock watering purposes, commencing on or before May 19, 1950. Application is made herein on waste water from the adjacent Crested Butte Country Club and Golf Course. A long standing stream channel which flowed onto Spann Ranches property was converted to a water hazard pond during the construction of the golf course. This pond is located immediately north of County Road 738. The pond overflows in a constant manner due to the continuation of its historic inflows from Crested Butte Mountain and is the source of water for this application.

5. Upon consultation of the Water Referee with the Division Engineer, the application was determined to be for a waste water ditch. The Division Engineer therefore recommended that the name of the structure applied for be changed from "the Clayton Ditch" to "the Clayton Wastewater Ditch" to more correctly identify the type of ditch structure.

6. Additionally, the Division Engineer requested a minor correction tying the location of the point of diversion to the west Section line of section 7, as opposed to the east section line, still corresponding with the original location described in the initial application.

7. Finally, the Division Engineer determined that the 5.0 cfs claimed in the application for irrigation was excessive and recommended approval of 1.0 cfs as absolute for stockwater and irrigation with an appropriation date of May 19, 1950, notwithstanding the fact the diversion culvert carries and has carried up to 5.0 cfs.

8. The Court hereby finds, that the Applicant has both the requisite intent as demonstrated by field surveys and the filing of this application, and the physical and technical ability to place the remaining 4.0 cfs sought by this application to beneficial use in the future and that a conditional decree for stockwatering and irrigation is therefore in order as to said remaining 4.0 cfs with an appropriation date of October 26, 1998.

9. The point of diversion, quantity to be diverted, uses, date of appropriation, and tributary basin of the Clayton Wastewater Ditch are as follows:

9.1 The point of diversion of the Clayton Wastewater Ditch is located in the NE1/4 NW1/4 NW1/4 of Section 7, in Township 14 South, Range 85 West, 6th P.M., at end of an existing culvert under Gunnison County Rd. 738 (Brush Creek Rd) at a point approximately 600 Feet south of the north section line of Section 7 and 844 feet east of the west section line, for 1.0 cfs absolute and 4.0 cfs conditional, for stock watering and irrigation purposes, in an unnamed tributary of the Slate River.

9.2 The date of appropriation for the 1.0 cfs absolute is May 19, 1950.

9.3 The date of appropriation for the 4.0 cfs conditional is October 26, 1998.

9.4 The water is used for the stated purposes on lands in which the Applicant owns an undivided interest in the NW1/4NW1/4, SW1/4NW1/4, NW1/4SW1/4 of Section 7, T 14 South, R85 West, 6th P.M. and on additional lands of Spann Ranches in the NE1/4SE1/4 of Section 12, T 14 South, R86 West , 6th P.M.

RULING AND DECREE

10. The findings of fact set forth above are expressly incorporated herein by reference.

11. It is the decree of this Court that the Clayton Wastewater Ditch is APPROVED AND GRANTED absolute and conditional decrees in the amount, at the location, for the uses, and with the appropriation dates as herein set forth.

12. Prior to or during the month of June, 2006, and every six years thereafter until the conditional right is decreed absolutely, the owner or user thereof, if it is desired to maintain the same, shall file an application for finding of reasonable diligence with the Court. Applicant shall notify the Court of any change in mailing address. Upon the sale or other transfer of this conditional rights, the transferee shall file with this Court a notice of transfer which shall state:

1) The title and case number of this case;
2) The description of the water right transferred;
3) The name of the transferor;
4) The name and mailing address of the transferee.

Applicant shall notify any transferee of the requirement of this paragraph.

Entered this 15th day of May, 2000.

Aaron R. Clay, Water Referee
Water Division No. 4

Approved and Confirmed as the Order of
the Water Court, Water Division 4.

Date: 6/15/00

District Water Court Judge
Water Division 4

Mailed-A Copy of this Document to
all parties in this case.

Dated June 20 2000

Carole Shore Deputy
Kay Phillips, Water Clerk

2020
Gunnison County Board of Equalization:
Hearing # 6

The Gunnison County Assessor's Office has been asked to communicate the assignment results for a single property that was appraised as part of our mass appraisal assignment.

The Uniform Standards of Professional Appraisal Practice (USPAP) defines mass appraisal as: the process of valuing a universe of properties as of a given date using standard methodology, employing common data, and allowing for statistical testing.

All of the sales used for Gunnison County's mass appraisal can be viewed on the Gunnison County web site (www.gunnisoncounty.org).

For the purposes of the mass appraisal, market value is defined as:

> "The most probable price, expressed in terms of money, that a property would bring if exposed for sale in the open market in an arm's-length transaction between a willing seller and a willing buyer, both of whom are knowledgeable concerning all the uses to which it is adapted and for which it is capable of being used." – Property Assessment Valuation, 1996, IAAO

For the 2020 property tax year, the effective **appraisal date is June 30, 2018**, as required by § 39-1-104(10.2)(a)(d), Colorado Revised Statutes.

The single property being characterized for this hearing is identified as:

Property Owner:	**TOUCHSTONE RANCH LAND LLC**
Account Number:	**R013124**
Parcel Number:	**3255-120-00-079**
Legal Description:	**13.08A IN SE4. SEC 12 14S86W**
Value:	**$380,360**
Recommendation:	**$200**

This property was classified as agricultural land for tax years prior to 2020. Based on physical inspection of the property in 2019 and 2020, the Assessor changed the classification to Vacant Land for 2020. The owner has recently provided evidence of agricultural usage in 2020, and on this basis the Assessor recommends reinstating the agricultural classification, and changing the value accordingly.