

NORTH WELD COUNTY WATER DISTRICT

Notice of Meeting

Monday, December 9, 2024, at 8:30 AM

32825 Co Rd 39, Lucerne, CO 80646

**THE BOARD MEETING WILL BE OPEN TO THE PUBLIC IN PERSON AND BY
TELECONFERENCE**

Information to join by Phone is below:

Call-In Number: 1(720)707-2699, Meeting ID: 873 5785 0771, Passcode: 475314

AGENDA

- 1. Call to Order**
- 2. Confirmation of Disclosures of Conflicts of Interest**
- 3. Action: Approve December 9, 2024, NWCWD Board Meeting Agenda**
- 4. Public Comment (3 Minute Time Limit; Items Not Otherwise on the Agenda)**
- 5. Consent Agenda: (These items are considered to be routine and will be approved by one motion. There will be no separate discussion of these items unless requested, in which event, the item will be removed from the Consent Agenda and considered in the Regular Agenda) (enclosures)**
 - a. Minutes from November 12, 2024, Regular Meeting**
 - b. Draft Financials November 2024**
 - c. Invoices through December 9, 2024**
 - d. Holding Certificate Plumb Ridge LLC.**
 - e. Letter of Intent**
 - i. Liberty Hill Farms LLC**
 - ii. The 5258 Ranch LLC**
 - iii. Fabrizius – Divest 5 Water Allocations**
 - f. Resolution No. 20241209-01: 2025 Annual Administrative Resolution**
 - g. Resolution No. 20241209-02: Amended and Restated Public Records Request Policy**
- 6. Public Hearing:**
 - a. Conduct Public Hearing on 2024 Budget Amendment and Consider Adoption of 2024 Budget Amendment (if needed)**
 - b. Conduct Public Hearing on 2025 Budget and Consider Adoption of Resolution No. 20241209-03: Resolution Adopting 2025 Budget, Imposing Mill Levy and Appropriating Funds (enclosure)**
- 7. Consider Adoption of 2025 Fee Schedule (enclosure)**

8. **Action: Consider Adoption of Resolution 20241209-04: Resolution Calling Election (enclosure)**
9. **Discussion: Water Supply and Storage Final Decree Case No. 21CW3199**
10. **Discussion: Update Regarding Status of Litigation with Eagle View Farms, LLC**
11. **Action: Consider Approval Variance Request to Development Review Process Severance South Development (enclosures)**
12. **Executive Session: The Board reserves the right to enter into Executive Session for the following purposes: Receiving legal advice and discussing matters subject to negotiation and strategy pursuant to § 24-6-402(4)(b)&(e), C.R.S. related to Severance South Development Variance Request and Status of Litigation with Eagle View Farms, LLC.**
13. **District Manager's Report: (enclosures)**
 - a. **Tap Sales**
 - b. **Christmas Party Today 12:30 Eaton Country Club**
14. **Other Business**

ADJOURN_____ .M.

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE NORTH WELD COUNTY WATER DISTRICT

Held: November 12, 2024, at 8:30 A.M.

The meeting was conducted via teleconference.

ATTENDANCE

The meeting was held in accordance with the laws of the State of Colorado. The following directors were in attendance:

Tad Stout, President
Nels Nelson, Treasurer
Anne Hennen, Assistant Secretary
Matt Pettinger, Assistant Secretary
Scott Cockroft, Secretary (arrived late)

Also present were Eric Reckentine and Garrett Mick, General Manager of the District; Zachary P. White, Esq., and Jon Wagner, Esq., WHITE BEAR ANKELE TANAKA & WALDRON, District general counsel; Jamie Dickinson, Spencer Fane, District special counsel; Richard Raines Water Resources; Loren Eldridge-Looker, Tri-Hydro; Wendy Greenwald, The Solution PR; Ms. Hatcher, Clear Water Consulting and members of the public.

ADMINISTRATIVE MATTERS

Call to Order

The meeting was called to order at 8:33 A.M.

Declaration of Quorum and Confirmation of Director Qualifications

Mr. Stout noted that a quorum for the Board was present and that the directors had confirmed their qualification to serve.

Reaffirmation of Disclosures of Potential or Existing Conflicts of Interest

Mr. Wagner advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. Wagner reported that disclosures for those directors that provided WHITE BEAR ANKELE TANAKA & WALDRON with notice of potential or existing conflicts of interest, if any, were filed with the Secretary of State's Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Mr. Wagner inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest about any matters scheduled for discussion at the meeting. All directors reviewed the agenda for the meeting and confirmed that they have no additional conflicts of interest in connection with any of the matters listed on the agenda.

Approval of Agenda Mr. Reckentine presented the Board with the agenda for the meeting. Upon motion of Mr. Nelson, seconded by Ms. Hennen, the Board unanimously approved the agenda as amended.

PUBLIC COMMENT Status of WSSC change case and BPCCC policy and fees was provided to the public based on a request

CONSENT MATTERS **AGENDA** Upon a motion of Mr. Nelson, seconded by Ms. Hennen, the following items on the consent agenda were unanimously approved, ratified and adopted:

- a. Minutes from October 14, 2024, Regular Meeting
- b. Draft Financials October 2024
- c. Invoices through November 12, 2024
- d. Approve Letter of Intent
- e. Zone 1 West Transmission Line Easement Acquisition
 - i. Schmidtbauer
 - ii. AGIG LLC

North Weld County Water District Draft 2025 Annual Budget Mr. Reckentine presented the draft 2025 budget to the Board. The Board engaged in discussion regarding capital improvement projects and fees. No action was taken. Mr. Cockroft asked questions about use of water surcharge dollars and wanted to see those revenues directly allocated in the budget to water acquisition. Following discussion, Mr. Cockroft will meet with Mr. Reckentine to review the budget. The final budget will be presented at the December meeting.

- NWCWD 2025 Draft Budget Memo
- SCWTA 2025 Final Budget Memo

Consider Approval of Revised and Updated Manual, Plans and Agreements Ms. Hatcher (Clear Water Consulting) presented the 7 Year State of Colorado Water Efficiency Plan to the Board. Following discussion, upon a motion by Mr. Nelson, seconded by Mr. Pettinger, the Board unanimously approved the plan.

- NWCWD 7 Year State of Colorado Updated Water Efficiency Plan

• SCWTA Updated Creation Agreement – Capacity Increase Mr. Reckentine presented the Updated Creation Agreement to the Board. The Amended Creation Agreement was approved unanimously

• NWCWD Rules and Regulations The Board engaged in a general discussion regarding the Rules and Regulations of the District. Mr. White will provide the first draft of the revised rules and regulations for a post-meeting work session and will revise them annually.

Update on Tolling Agreement with Dairies The Board discussed the proposed agreement in Executive Session.

Consider Approval of Amended and Restated Water Service Agreement with the Town of Eaton The Board engaged in a general discussion regarding the Amended and Restated Water Service Agreement with the Town of Eaton. No action taken.

NWCWD Draft Regional Master Plan Review The Board engaged in a general discussion regarding the NWCWD Draft Regional Master Plan Review. No action taken.

Consider Approval of Raw Water Acquisition and Dedication Agreements The Board discussed the proposed agreement in Executive Session.

Executive Session: The Board reserves the right to enter into Executive Session for the following purposes: Receiving legal advice and discussing matters subject to negotiation and strategy pursuant to § 24-6-402(4)(b) & (e), C.R.S. related to Draft Regional Master Plan, Acquisition of Water Rights, Water Service Agreement Eaton and Commercial Animal Tap Tolling Agreement, Water Acquisitions and Dedication Agreements, Tolling Agreement with Dairies and Amended and Restated Water Service Agreement with Town of Eaton. Upon a motion duly made and seconded, followed by an affirmative vote of at least two-thirds of the quorum present, the Board(s) enter into executive session at 9:46 a.m. for the purpose of receiving legal advice on and discussing matters pursuant to Section 24-6-402(4)(b) & (e), C.R.S. related to Draft Regional Master Plan, Acquisition of Water Rights, Water Service Agreement Eaton and Commercial Animal Tap Tolling Agreement, Water Acquisitions and Dedication Agreements, Tolling Agreement with Dairies and Amended and Restated Water Service Agreement with Town of Eaton.

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., no record will be kept of the portion of this executive session that, in the opinion of legal counsel to the District, constitutes privileged attorney-client communication pursuant to Section 24-6-402(4)(b), C.R.S.

Also pursuant to Section 24-6-402(4), C.R.S., the Board did not adopt any proposed policy, position, resolution, rule, regulation or take formal action during the executive session.

The Board reconvened in regular session at 11:08 a.m.

Consider Approval of Resolution No. 20241112-01 Concerning Development Review Moratorium The Board unanimously approved the proposed raw water acquisition agreement.

Mr. Reckentine presented the Resolution Concerning Development Review Moratorium. He indicated that the District has capacity to begin reviewing development applications again. Following discussion, upon a motion by Ms. Hennen, seconded by Mr. Nelson, the Board unanimously adopted the Resolution.

Consider Approval of New Development Variance Request

- Bower
- Cordero
- Everitt
- Podtburg Dairy

Mr. Reckentine indicated with the approval of Resolution No. 20241112-01, the requested variances will not be required, and development review can commence. No action taken.

- Cockroft Feedlot
- Chapparall
- Northlake

DISTRICT MANAGER’S REPORT

Tap Sales Mr. Reckentine reported to the Board there were 80 taps sold to date.

NEWT III Transmission Line Mr. Reckentine discussed the NEWT III Transmission Line with the Board. No action taken.

District’s New Website Launched Mr. Reckentine updated the Board that the new website is live.

Timnath 36-Inch Line Lowering Project and NEWT III Connection to 36-Inch Line, December 2024 Mr. Reckentine informed the Board that the project will be completed in December.

Wholesale Customer Rate and Fee Increase Notice 10/8/24 Mr. Reckentine updated that rate increase notices were sent to the Towns.

All Wholesale Customers Provided Revised WSA Template Mr. Reckentine updated the Board that all Towns have been provided with the template Water Service Agreement.

LCR Notification Letter to Customers Mr. Reckentine provided an update to the Board that the LCR Notification Letters have been sent.

OTHER BUSINESS

The Board engaged in a general discussion regarding the Certification Resolution. Following discussion, upon a motion by Ms. Hennen, seconded by Mr. Nelson, the Board unanimously approved the resolution.

The Board engaged in a general discussion regarding the Christmas Party.

The Board engaged in a general discussion regarding reviewing the backflow cross connection process. The Board directed Mr. Reckentine to review the process to avoid and/or quantify the additional cost for the District testing and certification services.

The Board engaged in a general discussion regarding the policy addressing the construction meters. No action taken.

ADJOURNMENT

There being no further business to be conducted, the meeting was adjourned.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting

Secretary for the District

ATTORNEY STATEMENT
REGARDING PRIVILEGED ATTORNEY-CLIENT COMMUNICATION

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., I attest that, in my capacity as the attorney representing North Weld County Water District, I attended the executive session at the regular meeting of North Weld County Water District convened at 9:46 a.m. on November 12, 2024 for the sole purpose of discussing matters subject to negotiation and strategy pursuant to § 24-6-402(4)(b)&(e), C.R.S. related to Draft Regional Master Plan, Acquisition of Water Rights, Water Service Agreement Eaton and Commercial Animal Tap Tolling Agreement, Water Acquisitions and Dedication Agreements, Tolling Agreement with Dairies and Amended and Restated Water Service Agreement with Town of Eaton. I further attest it is my opinion that all of the executive session discussion constituted a privileged attorney-client communication as provided by Section 24-6-402(4)(b), C.R.S. and, based on that opinion, no further record, written or electronic, was kept or required to be kept pursuant to Section 24-6-402(2)(b), C.R.S. or Section 24-6-402(2)(d.5)(II)(B), C.R.S.

Zachary P. White, Esq.

NORTH WELD COUNTY WATER DISTRICT

Balance Sheet
November 30, 2024

ASSETS

Current Assets

1014 - BANK OF COLORADO	\$	5,399,774.81
1015 - COLO TRUST - GENERAL		21,448,540.99
1017 - COLO TRUST- RRR		265,563.25
1020 - COLO TRUST - 2022 BOND		29,289,580.80
1030 - CASH DRAWER		200.00
1035 - CONTRA CASH RESERVE		(1,705,883.00)
1050 - CASH RESERVE (CWRPDA)		1,705,883.00
1100 - AR WATER (DRIP)		1,541,738.21
1105 - AR CONSTRUCTION METERS		220,650.75
1116 - ACCOUNTS RECEIVABLE		9,872.53
1230 - PREPAID INSURANCE		134,286.82
1300 - INVENTORY		2,118,524.91

Total Current Assets 60,428,733.07

Property and Equipment

1220 - LAND BUILDING SITE		541,875.18
1222 - CSU DRYING BEDS		28,612.00
1225 - LAND & EASEMENTS		3,440,118.09
1405 - WATER RIGHTS OWNED		102,112,451.44
1407 - WATER STORAGE		6,572,497.14
1415 - MACHINERY & EQUIPMENT		2,600,943.63
1416 - DEPREC - MACH & EQUIP		(2,007,120.85)
1420 - OFFICE EQUIPMENT		52,720.33
1421 - DEPREC - OFFICE EQUIP		(52,720.11)
1425 - PIPELINES		76,915,677.65
1426 - DEPREC - PIPELINES		(26,502,452.05)
1430 - STORAGE TANKS		3,626,714.18
1431 - DEPREC - STORAGE TANKS		(1,642,003.81)
1432 - MASTER METERS		689,854.53
1433 - DEPREC MASTER METERS		(82,279.68)
1435 - PUMP STATIONS		5,974,705.89
1436 - DEPREC - PUMP STATIONS		(2,826,752.24)
1437 - FILL STATION		15,555.00
1438 - DEPREC - FILL STATION		(4,666.50)
1440 - PAVING		25,500.20
1441 - DEPREC - PAVING		(25,499.80)
1445 - OFFICE BUILDING		1,667,567.41
1446 - DEPREC - BUILDING		(568,176.17)
1454 - CONSTRUCT IN PROGRESS		8,333,141.04

Total Property and Equipment 178,886,262.50

Other Assets

1457 - FILTER PLANT EQUITY		22,849,610.70
1466 - Bond Cst of Issue '19		0.37

Total Other Assets 22,849,611.07

Total Assets \$ 262,164,606.64

LIABILITIES AND CAPITAL

Current Liabilities

2215 - ACCOUNTS PAYABLES	\$	942,484.80
2216 - CONST MTR DEPOSITS		110,924.94
2230 - ACCRUED WAGES		68,410.51
2231 - ACCRUED COMP ABSENCES		162,037.28

Unaudited - For Management Purposes Only

NORTH WELD COUNTY WATER DISTRICT

Balance Sheet

November 30, 2024

2232 - ACCRUED INTEREST	625,550.00	
2240 - Retainage Payable	455,109.03	
	<u> </u>	
Total Current Liabilities		2,364,516.56
Long-Term Liabilities		
2222 - 2019 Bond Payable	15,700,000.00	
2223 - Bond Premium '19	702,637.62	
2224 - 2020 BOND PAYABLE	2,225,000.00	
2226 - 01A BOND	34,615,000.00	
2226.1 - 2022 Bond Premium	2,224,785.12	
2227 - CURT PORT LONGTERM DEBT	2,025,000.00	
2229 - PREMIUM ON 2009A LOAN	40,317.67	
	<u> </u>	
Total Long-Term Liabilities		<u>57,532,740.41</u>
Total Liabilities		59,897,256.97
Capital		
2800 - RETAINED EARNINGS	203,059,247.99	
Net Income	(791,898.32)	
	<u> </u>	
Total Capital		<u>202,267,349.67</u>
Total Liabilities & Capital		<u>\$ 262,164,606.64</u>

NORTH WELD COUNTY WATER DISTRICT
Income Statement
Detail

For the Eleven Months Ending November 30, 2024

	CURRENT MONTH	YTD	BUDGET	+ OR - BUDGET	% BUDGET
REVENUES					
3110 - METERED SALES	\$ 844,541.57	\$ 12,917,597.47	\$ 14,417,718.00	1,500,120.53	89.60
3111 - WATER ALLOC SURCHARGE	12,805.00	5,194,301.00	4,300,000.00	(894,301.00)	120.80
3112 - PLANT INVEST SURCHARGE	29,655.00	3,387,541.50	2,800,000.00	(587,541.50)	120.98
3113 - ADJUSTMENTS	1,641.79	2,435,927.12	0.00	(2,435,927.12)	0.00
3140 - CONST METER USAGE	70,009.95	382,108.56	213,282.00	(168,826.56)	179.16
3141 - CONSTR METER RENTAL	1,315.00	10,455.00	5,722.00	(4,733.00)	182.72
3142 - CONSTRUCT METER REPAIR	0.00	10,195.99	572.00	(9,623.99)	1,782.52
OPERATING	959,968.31	24,338,126.64	21,737,294.00	(2,600,832.64)	111.96
3210 INTEREST-COTRUST-GENERAL	192,056.74	2,592,858.49	1,500,000.00	(1,092,858.49)	172.86
3220 - PORT PARTONAGE AGFINITY	0.00	3,556.68	845.00	(2,711.68)	420.91
NON OPERATING	192,056.74	2,596,415.17	1,500,845.00	(1,095,570.17)	173.00
3310 - TAP (PI) FEES	416,100.00	4,512,000.00	3,300,000.00	(1,212,000.00)	136.73
3311 - DISTANCE FEES	67,500.00	739,500.00	180,186.00	(559,314.00)	410.41
3312 - WATER (ALLOCATION) FEE	36,750.00	330,750.00	210,000.00	(120,750.00)	157.50
3314 - INSTALLATION FEES	48,600.00	360,146.22	337,849.00	(22,297.22)	106.60
3315 - METER RELOCATION FEE	0.00	0.00	1,689.00	1,689.00	0.00
3316 - LINE EXTENSION FEE	0.00	0.00	156,060.00	156,060.00	0.00
3320 - NON-POTABLE TAP FEE	0.00	21,000.00	10,000.00	(11,000.00)	210.00
3321 - NON-POTABLE INSTALL	0.00	26,615.00	0.00	(26,615.00)	0.00
3330 - COMMITMENT LETTER FEE	1,800.00	4,000.00	0.00	(4,000.00)	0.00
3331 - REVIEW FEE	3,900.00	4,780.00	0.00	(4,780.00)	0.00
3360 - OFFSITE INFRASTRUCTURE	0.00	73,260.11	0.00	(73,260.11)	0.00
NEW SERVICE	574,650.00	6,072,051.33	4,195,784.00	(1,876,267.33)	144.72
3410 - WATER RENTAL	0.00	18,135.00	18,571.00	436.00	97.65
3415 - WSSC RETURN FLOW RENTAL	0.00	1,628.00	0.00	(1,628.00)	0.00
3420 - WATER LEASE	9,196.19	9,196.19	0.00	(9,196.19)	0.00
AG WATER	9,196.19	28,959.19	18,571.00	(10,388.19)	155.94
3500 - MISCELLANEOUS	0.00	100,614.86	0.00	(100,614.86)	0.00
3520 - TRANSFER FEES	525.00	6,250.00	10,000.00	3,750.00	62.50
3530 - RISE TOWER RENT	300.00	3,536.64	8,221.00	4,684.36	43.02
3540 - SAFETY GRANT (CSD)	0.00	20,667.89	0.00	(20,667.89)	0.00
3560 - BACKFLOW TESTING FEE	0.00	225.00	0.00	(225.00)	0.00
MISCELLANEOUS	825.00	131,294.39	18,221.00	(113,073.39)	720.57
TOTAL REVENUES	1,736,696.24	33,166,846.72	27,470,715.00	(5,696,131.72)	120.74
OPERATING EXPENSE					
4110 - POTABLE WATER	396,790.98	3,126,676.36	3,278,725.90	152,049.54	95.36
4120 - RENTAL WATER	0.00	(12,750.00)	0.00	12,750.00	0.00
4130 - CARRYOVER	0.00	10,714.60	93,063.81	82,349.21	11.51
4140 - WINTER WATER	0.00	0.00	5,743.43	5,743.43	0.00
4150 - ASSESSMENTS	0.00	636,843.33	536,331.86	(100,511.47)	118.74
4160 - RULE 11 FEES	0.00	0.00	66,341.00	66,341.00	0.00
4170 - WATER QUALITY - TESTING	208.00	15,349.50	14,280.00	(1,069.50)	107.49
WATER	(396,998.98)	(3,776,833.79)	(3,994,486.00)	(217,652.21)	94.55
4210 - SALARIES, FIELD	176,340.99	1,288,736.96	1,422,445.00	133,708.04	90.60
4220 - SALARIES, ENGINEERING	15,922.15	130,688.53	316,162.00	185,473.47	41.34
4240 - INSURANCE HEALTH	14,029.98	171,591.11	198,308.00	26,716.89	86.53
4250 - RETIREMENT	7,038.30	82,118.98	86,420.00	4,301.02	95.02
4260 - AWARDS	0.00	0.00	1,392.00	1,392.00	0.00
4270 - UNIFORMS	4,464.65	2,387.52	6,500.00	4,112.48	36.73
4280 - MISCELLANEOUS	0.00	0.00	1,160.00	1,160.00	0.00
EMPLOYEES	(217,796.07)	(1,675,523.10)	(2,032,387.00)	(356,863.90)	82.44
REPAIRS	0.00	0.00	0.00	0.00	0.00

For Management Purposes Only

NORTH WELD COUNTY WATER DISTRICT
Income Statement
Detail

For the Eleven Months Ending November 30, 2024

	CURRENT MONTH	YTD	BUDGET	+ OR - BUDGET	% BUDGET
4410 - FIELD	182.40	47,455.91	60,000.00	12,544.09	79.09
4411 - LOCATES	7,610.61	17,224.98	17,000.00	(224.98)	101.32
4412 - FARM PROPERTIES	0.00	0.00	3,000.00	3,000.00	0.00
4413 - SITE MAINTENANCE ANNUAL	0.00	0.00	5,812.00	5,812.00	0.00
4414 - CONSTRUCTION METER	0.00	14,666.76	0.00	(14,666.76)	0.00
4415 - WATER LINES (REPAIRS)	1,474.00	180,693.42	473,000.00	292,306.58	38.20
4416 - APPURTENANCE(REPAIR)	0.00	38,592.27	225,000.00	186,407.73	17.15
4417 - METER SETTING	0.00	155,646.00	510,000.00	354,354.00	30.52
4418 - MASTER METERS	500.00	27,506.50	25,000.00	(2,506.50)	110.03
4419 - SERVICE WORK	(2,340.00)	284,000.89	130,000.00	(154,000.89)	218.46
4420 - STORAGE TANKS (O & M)	0.00	27,253.22	54,000.00	26,746.78	50.47
4430 - PUMP STATIONS (O & M)	0.00	213,604.54	285,000.00	71,395.46	74.95
4435 - CHLORINE STATION	0.00	574.37	5,520.00	4,945.63	10.41
4440 - EQUIPMENT	5,341.11	70,937.62	77,000.00	6,062.38	92.13
4445 - SCADA EQUIPMENT	0.00	0.00	30,000.00	30,000.00	0.00
4446 - LOCATING EQUIPMENT	0.00	1,900.56	5,631.00	3,730.44	33.75
4447 - GPS EQUIPMENT	0.00	0.00	27,028.00	27,028.00	0.00
4450 - SHOP/YARD	2,631.50	43,100.14	51,000.00	7,899.86	84.51
4460 - VEHICLES	18,598.89	167,456.69	104,040.00	(63,416.69)	160.95
4470 - SAFETY	350.00	69,942.41	20,400.00	(49,542.41)	342.85
4480 - CONTROL VAULTS	0.00	100.00	34,000.00	33,900.00	0.29
OPERATION & MAINTENANCE	(34,348.51)	(1,360,656.28)	(2,142,431.00)	(781,774.72)	63.51
ENGINEERING	0.00	0.00	0.00	0.00	0.00
4600 - ELECTRICITY	12,314.06	185,508.72	184,722.00	(786.72)	100.43
4640 - METER VAULTS	0.00	15,405.25	0.00	(15,405.25)	0.00
4650 - FILL STATION	0.00	138.73	0.00	(138.73)	0.00
ELECTRICITY	(12,314.06)	(201,052.70)	(184,722.00)	16,330.70	108.84
4700 - COMMUNICATIONS	100.08	1,101.17	51,000.00	49,898.83	2.16
COMMUNICATIONS	(100.08)	(1,101.17)	(51,000.00)	(49,898.83)	2.16
4810 - GENERAL	2,943.51	31,760.61	75,500.00	43,739.39	42.07
4820 - AUTO	968.45	11,661.95	20,400.00	8,738.05	57.17
4830 - WORKER'S COMP	2,546.96	91,723.92	76,500.00	(15,223.92)	119.90
INSURANCE	(6,458.92)	(135,146.48)	(172,400.00)	(37,253.52)	78.39
MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00
TOTAL OPERATING EXPENSES	668,016.62	7,150,313.52	8,577,426.00	1,427,112.48	83.36
ADMINISTRATIVE EXPENSE					
5110 - OFFICE	71,426.83	544,926.88	538,541.00	(6,385.88)	101.19
SALARIES	71,426.83	544,926.88	538,541.00	(6,385.88)	101.19
5210 - FICA	16,775.45	147,314.40	139,000.00	(8,314.40)	105.98
5220 - UNEMPLOYMENT	3,857.56	3,857.56	5,068.00	1,210.44	76.12
PAYROLL TAXES	20,633.01	151,171.96	144,068.00	(7,103.96)	104.93
5300 - HEALTH INSURANCE	0.00	0.00	61,200.00	61,200.00	0.00
5310 - ADMIN HEALTH INSURANCE	4,400.81	48,408.91	0.00	(48,408.91)	0.00
HEALTH INSURANCE	4,400.81	48,408.91	61,200.00	12,791.09	79.10
5400 - OFFICE UTILITIES	0.00	3,212.74	0.00	(3,212.74)	0.00
5401 - ELECTRICITY	0.00	10,411.91	10,200.00	(211.91)	102.08
5402 - PROPANE	1,498.66	10,490.46	7,140.00	(3,350.46)	146.93
5403 - TELEPHONE	24,927.61	132,999.04	23,460.00	(109,539.04)	566.92
5404 - CELL PHONE SERVICE	1,640.72	18,654.83	20,400.00	1,745.17	91.45
5405 - CELL PHONE ACCESSORIES	0.00	0.00	510.00	510.00	0.00

For Management Purposes Only

NORTH WELD COUNTY WATER DISTRICT
Income Statement
Detail

For the Eleven Months Ending November 30, 2024

	CURRENT MONTH	YTD	BUDGET	+ OR - BUDGET	% BUDGET
5406 - OFFICE CLEANING SERVICE	1,700.00	16,320.00	20,400.00	4,080.00	80.00
5407 - INTERNET	0.00	2,588.04	612.00	(1,976.04)	422.88
5409 - SECURITY CAMERAS	3,515.20	17,305.60	12,000.00	(5,305.60)	144.21
5410 - OFFICE EQUIPMENT	0.00	0.00	500.00	500.00	0.00
5412 - PRINTERS	196.83	2,468.55	500.00	(1,968.55)	493.71
5413 - FURNITURE	0.00	0.00	2,815.00	2,815.00	0.00
5440 - COMPUTER	0.00	3,275.98	5,000.00	1,724.02	65.52
5441 - COMPUTER SUPPORT	6,129.26	67,320.86	67,570.00	249.14	99.63
5442 - HARDWARE (COMPUTERS)	0.00	5,113.18	0.00	(5,113.18)	0.00
5443 - SOFTWARE	1,095.00	1,095.00	7,140.00	6,045.00	15.34
5444 - LICENSES (ANNUAL)	1,943.00	19,022.07	30,600.00	11,577.93	62.16
5445 - SENSUS METER SUPPORT	0.00	7,724.00	3,060.00	(4,664.00)	252.42
OFFICE UTILITIES	42,646.28	318,002.26	211,907.00	(106,095.26)	150.07
5510 - OFFICE EXPENSES	12,836.53	190,246.44	178,609.00	(11,637.44)	106.52
5520 - POSTAGE	0.00	380.85	3,378.00	2,997.15	11.27
5530 - BANK / CREDIT CARD FEES	9.80	47,650.21	5,631.00	(42,019.21)	846.21
5540 - BUILDING MAINTENANCE	0.00	11,590.67	1,126.00	(10,464.67)	1,029.37
5560 - PRINTING	0.00	0.00	2,815.00	2,815.00	0.00
5580 - DUES & REGISTRATION	630.00	1,061.00	3,378.00	2,317.00	31.41
OFFICE EXPENSE	13,476.33	250,929.17	194,937.00	(55,992.17)	128.72
5610 - LEGAL	17,532.50	302,075.20	364,140.00	62,064.80	82.96
5620 - ACCOUNTING	2,000.00	97,100.00	51,000.00	(46,100.00)	190.39
5625 - EASEMENT FEES	0.00	800.00	0.00	(800.00)	0.00
5626 - RECORDING FEES	0.00	(58.00)	0.00	58.00	0.00
5630 - WATER TRANSFER FEES	0.00	4,943.50	4,000.00	(943.50)	123.59
5640 - MAPPING - NORTHLINE	0.00	0.00	714.00	714.00	0.00
5650 - CONSULTANT FEES	23,359.55	88,544.10	208,080.00	119,535.90	42.55
5660 - MEMBERSHIP FEES	0.00	18,794.15	60,000.00	41,205.85	31.32
5670 - APPRAISALS	10,000.00	10,000.00	0.00	(10,000.00)	0.00
5680 - LAND ACQUISITION	0.00	37,010.64	100,000.00	62,989.36	37.01
PROFESSIONAL FEES	52,892.05	559,209.59	787,934.00	228,724.41	70.97
VEHICLES	0.00	0.00	0.00	0.00	0.00
5900 - MISCELLANEOUS	0.00	0.00	110,000.00	110,000.00	0.00
5920 - FIRE MITIGATION GRANT	3,999.99	3,999.99	0.00	(3,999.99)	0.00
MISCELLANEOUS	3,999.99	3,999.99	110,000.00	106,000.01	3.64
TOTAL ADMINISTRATIVE EXPENSE	209,475.30	1,876,648.76	2,048,587.00	171,938.24	91.61
CAPITAL IMPROVEMENTS					
SOLDIER CYN FILTER PLANT	0.00	0.00	0.00	0.00	0.00
6200 - STORAGE TANKS	0.00	28,457.88	1,000,000.00	971,542.12	2.85
STORAGE TANKS	0.00	28,457.88	1,000,000.00	971,542.12	2.85
6300 - PUMP STATIONS	0.00	543,106.83	75,000.00	(468,106.83)	724.14
PUMP STATIONS	0.00	543,106.83	75,000.00	(468,106.83)	724.14
6410 - VEHICLES	0.00	195,641.19	220,000.00	24,358.81	88.93
EQUIPMENT	0.00	195,641.19	220,000.00	24,358.81	88.93
6505 - ENGINEERING	61,803.26	1,532,448.78	1,200,000.00	(332,448.78)	127.70
6510 - WATER LINES	121,153.58	11,795,812.13	19,700,000.00	7,904,187.87	59.88
6515 - METER UPGRADES	0.00	0.00	100,000.00	100,000.00	0.00
6520 - RADIO READ METERS	0.00	0.00	200,000.00	200,000.00	0.00
6530 - PRV'S	0.00	0.00	500,000.00	500,000.00	0.00
6545 - SCADA EQUIPMENT	17,222.88	65,226.38	0.00	(65,226.38)	0.00
6550 - SHOP/YARD	0.00	229,142.00	0.00	(229,142.00)	0.00

NORTH WELD COUNTY WATER DISTRICT
Income Statement
Detail

For the Eleven Months Ending November 30, 2024

	CURRENT MONTH	YTD	BUDGET	+ OR - BUDGET	% BUDGET
SYSTEM	200,179.72	13,622,629.29	21,700,000.00	8,077,370.71	62.78
6610 - WATER RESOURCE MANAGER	11,006.90	11,858.23	0.00	(11,858.23)	0.00
6615 - GRAVEL PITS	0.00	0.00	200,000.00	200,000.00	0.00
6620 - WATER RIGHTS	0.00	5,380,000.00	6,000,000.00	620,000.00	89.67
6621 - CAPITAL CONTRIBUTIONS	0.00	6,222.50	0.00	(6,222.50)	0.00
6630 - LEGAL (WRM)	2,921.74	51,613.44	310,000.00	258,386.56	16.65
6640 - STORAGE	35,670.75	459,565.33	0.00	(459,565.33)	0.00
WATER RIGHTS	49,599.39	5,909,259.50	6,510,000.00	600,740.50	90.77
6710 - EASEMENTS	0.00	358,558.24	75,000.00	(283,558.24)	478.08
6720 - LAND	0.00	0.00	100,000.00	100,000.00	0.00
6730 - SURVEYING	0.00	6,669.00	5,000.00	(1,669.00)	133.38
LAND/EASEMENTS	0.00	365,227.24	180,000.00	(185,227.24)	202.90
BUILDING/PAVING	0.00	0.00	0.00	0.00	0.00
OFFICE EQUIPMENT/MISC	0.00	0.00	0.00	0.00	0.00
TOTAL CAPITAL IMPROVEMENTS	249,779.11	20,664,321.93	29,685,000.00	9,020,678.07	69.61
BONDS					
BOND ISSUE	0.00	0.00	0.00	0.00	0.00
INTEREST	0.00	0.00	0.00	0.00	0.00
7250 - PLANT EXPANSION	0.00	0.00	1,231,000.00	1,231,000.00	0.00
PRINCIPLE	0.00	0.00	1,231,000.00	1,231,000.00	0.00
BOND ISSUANCE COST	0.00	0.00	0.00	0.00	0.00
INTEREST EXPENSE OTHER	0.00	0.00	0.00	0.00	0.00
TOTAL BONDS	0.00	0.00	(1,231,000.00)	(1,231,000.00)	0.00
DEPRECIATION & AMORT EXPENSES					
DEPRECIATION & AMORT EXPENSE	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES	1,736,696.24	33,169,141.06	27,547,095.00	(5,622,046.06)	120.41
TOTAL EXPENSES	1,127,982.28	33,961,039.38	44,793,042.00	10,832,002.62	75.82
PROFIT/LOSS	608,713.96	(791,898.32)	(17,245,947.00)	(16,454,048.68)	4.59

NORTH WELD COUNTY WATER DISTRICT
Account Reconciliation
As of Nov 30, 2024
1014 - 1014 - BANK OF COLORADO
Bank Statement Date: November 30, 2024

Filter Criteria includes: Report is printed in Detail Format.

Beginning GL Balance		2,779,603.30
Add: Cash Receipts		631,548.13
Less: Cash Disbursements		(1,151,240.22)
Add (Less) Other		<u>3,139,863.60</u>
Ending GL Balance		<u>5,399,774.81</u>
Ending Bank Balance		5,932,237.55
Add back deposits in transit		
Total deposits in transit		
(Less) outstanding checks		
	Nov 18, 2022 17106	(227.65)
	Nov 30, 2023 18286	(1,100.00)
	Nov 30, 2023 18288	(1,100.00)
	Nov 30, 2023 18299	(1,100.00)
	Nov 30, 2023 18302	(1,100.00)
	Nov 30, 2023 18305	(1,100.00)
	Jan 30, 2024 18494	(8,000.00)
	Feb 9, 2024 18529	(14.43)
	Mar 8, 2024 18644	(1,100.00)
	Apr 12, 2024 18758	(9.60)
	May 29, 2024 18891	(10,000.00)
	Jun 7, 2024 18910	(3,356.79)
	Jun 25, 2024 18976	(13.82)
	Jul 18, 2024 19051	(11.25)
	Nov 5, 2024 19340	(83,954.00)
	Nov 26, 2024 19395	(182.40)
	Nov 26, 2024 19399	(11,061.00)
	Nov 26, 2024 19401	(538.00)
	Nov 18, 2024 OL-1118202	(409,667.04)
	Nov 29, 2024 OL-1129202	<u>(8,299.12)</u>
Total outstanding checks		(541,935.10)
Add (Less) Other		
	Nov 28, 2024 CC1128	3,028.15
	Nov 30, 2024 CC1130	1,158.75
	Nov 27, 2024 CCIH1118	357.00
	Nov 29, 2024 CF1119	305.00
	Nov 29, 2024 GE1113	(443.18)
	Nov 27, 2024 LB1118	4,437.15
	Sep 30, 2024 MARS0920	109.25
	Nov 29, 2024 MARS1119	<u>520.24</u>
Total other		9,472.36
Unreconciled difference		<u>0.00</u>
Ending GL Balance		<u><u>5,399,774.81</u></u>

NORTH WELD COUNTY WATER DISTRICT
Account Reconciliation
As of Nov 30, 2024
1015 - 1015 - COLO TRUST - GENERAL
Bank Statement Date: November 30, 2024

Filter Criteria includes: Report is printed in Detail Format.

Beginning GL Balance	21,366,775.52
Add: Cash Receipts	
Less: Cash Disbursements	
Add (Less) Other	<u>81,765.47</u>
Ending GL Balance	<u>21,448,540.99</u>
Ending Bank Balance	21,448,540.99
Add back deposits in transit	<u> </u>
Total deposits in transit	
(Less) outstanding checks	<u> </u>
Total outstanding checks	
Add (Less) Other	<u> </u>
Total other	
Unreconciled difference	<u>0.00</u>
Ending GL Balance	<u><u>21,448,540.99</u></u>

NORTH WELD COUNTY WATER DISTRICT
Account Reconciliation
As of Nov 30, 2024
1019 - 1019 - COLO TRUST - 2019 BOND
Bank Statement Date: November 30, 2024

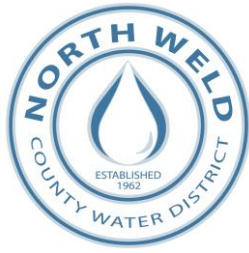
Filter Criteria includes: Report is printed in Detail Format.

Beginning GL Balance		
Add: Cash Receipts		
Less: Cash Disbursements		
Add (Less) Other		_____
Ending GL Balance		=====
Ending Bank Balance		
Add back deposits in transit	_____	
Total deposits in transit		
(Less) outstanding checks	_____	
Total outstanding checks		
Add (Less) Other	_____	
Total other		
Unreconciled difference		_____ 0.00
Ending GL Balance		=====

NORTH WELD COUNTY WATER DISTRICT
Account Reconciliation
As of Nov 30, 2024
1020 - 1020 - COLO TRUST - 2022 BOND
Bank Statement Date: November 30, 2024

Filter Criteria includes: Report is printed in Detail Format.

Beginning GL Balance	29,179,289.53
Add: Cash Receipts	
Less: Cash Disbursements	
Add (Less) Other	<u>110,291.27</u>
Ending GL Balance	<u>29,289,580.80</u>
Ending Bank Balance	29,289,580.80
Add back deposits in transit	<u> </u>
Total deposits in transit	
(Less) outstanding checks	<u> </u>
Total outstanding checks	
Add (Less) Other	<u> </u>
Total other	
Unreconciled difference	<u>0.00</u>
Ending GL Balance	<u><u>29,289,580.80</u></u>



NORTH WELD COUNTY WATER DISTRICT

32825 CR 39 • LUCERNE, CO 80646

P.O. BOX 56 • BUS: 970-356-3020 • FAX: 970-395-0997

WWW.NWCWD.ORG • EMAIL: WATER@NWCWD.ORG

Plumb Ridge, LLC
Attn: Todd Bean, Manager
1695 Colorado Parkway
Eaton, CO 80615

Re: Raw Water Dedication and Water Bank Agreement – Holding Receipt No. 00001

Dear Mr. Bean:

Pursuant to the above referenced Agreement, executed by and between the parties on January 23, 2019, North Weld is providing you notice that, on December ____, 2024, the Water Court for Water District No. 1 entered a final decree in Case No. 21CW3199 approving North Weld's application to change to municipal uses 5 shares of the Water Supply and Storage Company, including the 0.5 share that Plumb Ridge dedicated to North Weld.

Further pursuant to the Agreement, North Weld is attaching Holding Receipt No. 00001 which, upon full satisfaction of the terms and conditions of the Agreement, including but not limited to the payment by Plumb Ridge to North Weld of the Raw Water Fees as defined therein, provides Plumb Ridge with 21.75 acre-feet of Raw Water Credits for subsequent Transfer or Assignment in accordance with the Holding Receipt and North Weld's then-current policies, rules and regulations related to its Water Bank.

The Raw Water Fees due and owing are defined in the table below:

Fee	\$/Share	No. of Shares	AF/Share	No. of AF	\$/AF	Fee Due
Conversion	\$44,786.26	0.5				\$22,393.13
Capital Contribution	\$52,094.86	0.5				\$26,047.43
Administrative	\$6,717.94	0.5				\$3,358.97
Total	\$83,838.31	0.5	43.5	21.75	\$1,927.32	\$51,799.53

They are fairly close to the Raw Water Fees estimated at the time of the Agreement.

Please let me know if you have any questions.

Sincerely,
Eric Reckentine
General Manager
North Weld County Water District

Receipt Number: 00001

HOLDING RECEIPT

**NORTH WELD COUNTY WATER DISTRICT
WATER BANK**

ACCOUNT NUMBER _____

Issued To:
Plumb Ridge, LLC, a Colorado limited liability company

1695 Colorado Parkway

Eaton, CO 80615

(referred to hereafter as "Owner").

The transfer to North Weld County Water District ("District") by the Owner of the following described water right was evidenced by:

The Water Supply and Storage Company Stock Certificate, Number 6804 issued to the District.

The rights established by this document are governed by the terms of a Raw Water Dedication and Bank Agreement between the Owner and the District dated January 23, 2019 ("Water Bank Agreement").

Description of Water Shares Transferred to the District: 0.5 shares of capital stock of the Water Supply and Storage Company

Description of Raw Water Credits Available for Transfer or Assignment computed as follows:

(0.5 share) x (43.5 acre-feet per share) = 21.75 acre-feet of Raw Water Credits available for transfer or assignment

THE ABOVE DESCRIPTION OF THE ACRE-FEET OF RAW WATER CREDITS AVAILABLE FOR TRANSFER OR ASSIGNMENT MAY INCREASE OR DECREASE AS A RESULT OF A SUBSEQUENT DECREE ISSUED BY THE WATER COURT MODIFYING THE NUMBER OF ACRE-FEET OF WATER AVAILABLE PER SHARE TO THE DISTRICT AS A RESULT OF A TRANSFER OF THE WATER RIGHT OR OTHERWISE AS MORE FULLY PROVIDED IN THE WATER BANK AGREEMENT.

IS WATER RIGHT SUBJECT TO RAW WATER FEES? YES NO

No Transfer or Assignment of the Raw Water Credits represented by this receipt is binding upon the District unless approved in writing by the District and the District has received verification that the receipt is still active.

[SEAL] By: _____
District Secretary _____
Date

Note: This receipt is a valuable legal document. It must be surrendered in order to transfer any water or deposit in the Water Bank. If it is stolen, lost or destroyed, the holder must provide an acceptable lost document bond at holder's expense. Keep this receipt in a safe place.

The original executed copy of Holding Receipt received by on Date

WATER BANK TRANSFER REQUEST

Based on the current conversion ratio of the District, the undersigned _____ as Owner of the **Holding Receipt** _____ for the Water Bank Account Number _____, has _____ acre-feet of raw water credits available for transfer or assignment and the undersigned do hereby:

Request that the District assign _____ acre-feet of raw water credits held on deposit to the following Lots:

Request that the District transfer _____ acre-feet of raw water credits held on deposit to the credit of:

(Name/Address)

RAW WATER FEES COLLECTED, IF APPLICABLE \$ _____ Receipt No. _____ Date _____

RAW WATER FEES PAID BY: _____

OWNER AGENT AND ATTORNEY IN FACT LEGAL REPRESENTATIVE:

By: _____, _____
Name Date Title

LIENHOLDER:

By: _____, _____
Name Date Title



NORTH WELD COUNTY WATER DISTRICT

32825 CR 39 • LUCERNE, CO 80646

P.O. BOX 56 • BUS: 970-356-3020 • FAX: 970-395-0997

WWW.NWCWD.ORG • EMAIL: WATER@NWCWD.ORG

December 4, 2024

Liberty Hill Farms LLC, Developer
6025 CR 88
Fort Collins, CO 80524

Cyndi Mason, Agent
6025 CR 88
Fort Collins, CO 80524

Subject: Water Service Request, Liberty Hill Farms LLC Property, 2nd Residence - Single Family Residential Tap Request

This Letter of Intent (the "Letter") is in response to your inquiry regarding water service from North Weld County Water District (the "District") to the property legally described in **Exhibit A**, attached hereto and incorporated by this reference (the "Property"). Liberty Hill Farms LLC shall be referred to herein as the "Developer".

In order to support you with obtaining water service, you should understand the following:

1. The District is able to provide water service to the Property, contingent upon all requirements of the District being satisfied. If all District requirements, including all contracts, have not been satisfied and completed with the District within 1 year of the date of this Letter, this Letter is no longer of any force and effect. After 1 year, it should be understood that the District reserves the right to refuse water service, if raw water is unavailable, and/or pipeline or water treatment capacity is not capable of providing water service to the above-described property.
2. Before a water tap may be purchased, the Developer must provide a copy of a **Warranty Deed**, a **Physical Address**, a **Deed Restriction (if purchasing 50% Tap)**, and provide a copy of **this Letter**, which **Letter** must be acknowledged by the Developer and also recorded on the Property in the real property records of the Weld or Larimer County Clerk and Recorder, as appropriate.
3. The Developer must sign and execute any and all necessary Easement and Rights-of-Way Agreements regarding specific locations, widths, size of pipeline(s) and descriptions for the Line Extension as determined by the District. Providing water service to the Property is contingent upon execution and recording of the Easement and Right-of-Way Agreements. Until such Easement and Right-of-Way Agreements are finalized and recorded to the satisfaction of the District, the District will not initiate the design or construction of the Meter Set or Line Extension needed to provide water service to the Property.
4. Based on the irrigation use of the Property along with other pertinent information provided on the Water Tap Request Form, **the District recommends the Developer's irrigated landscaping square footage not exceed 6,000 square feet**. This recommendation is based on the Full Standard Tap allocation and should be used to optimize delivery without surcharge (i.e., to minimize the risk or likelihood of surcharge). Should the Developer desire to irrigate a larger landscaped area, the District recommends the Developer purchase an additional allocation.
5. Developer is subject to the District's Amended and Restated Water Dedication Policy, which may be amended from time to time (the Policy"). A copy of the current Policy is attached hereto as **Exhibit B**.
6. In no event shall Developer apply for a land division of the Property with a County prior to dedicating water as required by the Policy and as set forth above. In the event Developer fails to dedicate water in relation to the Property prior to a County approving a land division, the sole recourse of any future owners of the divided Property shall be against the Developer.
7. Any future owners of the Property or divided Property shall be third-party beneficiaries to this Letter and shall have the right to enforce the terms of this Letter against the Developer. Nothing contained in this Letter shall give or allow any claim or right of action against the District by a subsequent owner of the Property or divided portion of the Property. The Developer shall be solely responsible for any claims relating to its failure to dedicate water rights as required by the Policy.
8. The District's water tap options are shown in Table No. 1 included in **Exhibit C** of this Letter.
9. The District's current tap fees are shown in Table No. 2 included in **Exhibit C** of this Letter. **The District's tap fees shall be valid for 10 business days from the date the Developer receives this Letter. The tap fees must be paid within 10 business days of Letter receipt. After 10 business days of Letter receipt, tap fees will be subject to the 'then in effect rates' (current cost) established by the District.** The District is not responsible for notifying individuals, banks, lenders, prospective buyers, real estate agents or anyone else, in any manner, of a change of rates



NORTH WELD COUNTY WATER DISTRICT

32825 CR 39 • LUCERNE, CO 80646

P.O. BOX 56 • BUS: 970-356-3020 • FAX: 970-395-0997

WWW.NWCWD.ORG • EMAIL: WATER@NWCWD.ORG

and/or fees.

- 10. **The Meter Set Fee is valid only for the location shown on the map attached hereto as Exhibit D.** After the water tap has been purchased (Raw Water AFU & Plant Investment Fee), the Developer has 1 year in which to have the meter set. The District requires a minimum 60 day advance notice to set the meter. If the meter has not been set within 12 months from the purchase date and the Developer requests in writing to relinquish the meter, the District shall refund the Developer 98% of the tap fee. If longer than a year, the District will refund the Developer 90% of the tap fee paid. **If the Developer does not choose to relinquish the meter within 12 months of the Developer purchasing the meter and the meter remains unset, the account will begin to be billed the minimum monthly amount.**
- 11. The District's current usage rates and fees are shown in Table No. 3 included in **Exhibit C** of this Letter.
- 12. Water Surcharge. Water surcharge fees will be assessed when an account's year to date usage exceeds the annual water allotment at a rate set forth in the District's Fee Schedule, as may be amended from time to time. Surcharge fees are assessed as a penalty and deterrent for over usage by customers.
- 13. Rate Differential Charge. Effective November 1, 2015, the District no longer accepts water transfers.
- 14. The District's current Plant Investment Surcharge is shown in Table No. 4 included in **Exhibit C** of this Letter. Plant Investment Surcharge will be assessed when an account's year to date usage exceeds the Plant Investment Allotment. The transfer of additional water will **not** remove this charge. Additional Plant Investment Units must be purchased to increase the allotment and reduce the Plant Investment Surcharges. These rates are in addition to the standard monthly usage fee.
- 15. The District has reviewed the Developer's Water Tap Request Application. Based on the information provided in the application, the District's review included, but was not limited to, engineering review, field inspections, fire flow analysis, hydraulic modeling, identification of offsite infrastructure improvement needs, preliminary pipe sizing, and/or developing a preliminary line extension layout and fee estimate. **If offsite infrastructure or a line extension is deemed necessary to serve the Developer's property, the Developer is required to submit to the District for further Plan Review or Design Approval prior to installation or service being provided by the District. Please reference the Process for Obtaining Water Service workflow diagram for details on the Plan Review or Design scope of services.** It is important to note that all crossing agreements, easements or other outside third-party contracts require full execution prior to any construction or water service being provided. It is imperative that the Developer allow ample time for the Plan Review or Design Approval process prior to requiring water service.
- 16. Developer is subject to the Backflow Prevention and Cross Connection Control Regulation, which may be amended from time to time. A copy of the Backflow Prevention and Cross Connection Control Regulation can be obtained from the District Manager.

The District hopes this Letter provides the necessary information to facilitate progress in meeting the requirements needed to secure water for the above described property. Should you have any questions or concerns, please contact the District.

Sincerely,

Title: _____, Board of Directors

Date

North Weld County Water District

(Acknowledgement and Agreement by Developer follows.)



NORTH WELD COUNTY WATER DISTRICT

32825 CR 39 • LUCERNE, CO 80646

P.O. BOX 56 • BUS: 970-356-3020 • FAX: 970-395-0997

WWW.NWCWD.ORG • EMAIL: WATER@NWCWD.ORG

Acknowledgement and Agreement by Developer

The Developer hereby acknowledges and agrees to the terms of this Letter of Intent, including its obligation to dedicate water in relation to the Property. The Developer acknowledges and agrees that it shall be solely responsible for any claims that may be brought in the future by subsequent owners of the Property or portion of the Property in regards to Developer's failure to make an appropriate water dedication prior to selling all or a portion of the Property.

The Developer, its successors and assigns, hereby agrees to defend, indemnify and hold harmless the District and each of its directors, officers, contractors, employees, agents and consultants (collectively, the "District Indemnitees"), from and against any and all claims, demands, losses, liabilities, actions, lawsuits, damages, and expenses (the "Claims"), including reasonable legal expenses and attorneys' fees actually incurred, by the District Indemnitees arising directly or indirectly, in whole or in part, out of the errors or omissions, negligence, willful misconduct, or any criminal or tortious act or omission of the Developer or any of its subcontractors, officers, agents or employees, in connection with this Letter of Intent and/or the Developer's obligation to appropriately dedicate water prior to selling all or a portion of the Property. In the event the Developer fails to assume the defense of any Claims required in this paragraph within fifteen (15) days after notice from the District of the existence of such Claim, the District may assume the defense of the Claim with counsel of its own selection, and the Developer will pay all reasonable expenses of such counsel.

Liberty Hill Farms LLC

_____ Date

By: _____

Name: _____

Its: _____



NORTH WELD COUNTY WATER DISTRICT

32825 CR 39 • LUCERNE, CO 80646

P.O. BOX 56 • BUS: 970-356-3020 • FAX: 970-395-0997

WWW.NWCWD.ORG • EMAIL: WATER@NWCWD.ORG

EXHIBIT A

Lot B, Recorded Exemption No. 0555-30-03 RECX13-0042 being a portion of the South ½ of Section 30, Township 8 North, Range 67 West of the 6th Principal Meridian, Weld County, Colorado, according to the map recorded February 13, 2014 at Reception No. 3996000

(Street Address: 6247 CR 88, Fort Collins, CO)

Weld County Parcel Number: 055530300026

EXHIBIT B

NORTH WELD COUNTY WATER DISTRICT

AMENDED AND RESTATED WATER DEDICATION POLICY

I. Water Dedication Requirements

A. Projects in which the District has an executed Water Services Agreement with Owner/Developer as of September 13, 2020.

i. Development Requiring Less than 5-Acre Feet of Water. Any owner or developer of real property who has an executed Water Service Agreement with the District as of September 13, 2020, and who is requesting water taps requiring less than five (5) acre feet of water for a development project, whether on one (1) or more separate lots, tracts or parcels, shall, at its election, either (i) pay to the District a cash payment in lieu of dedication of raw water in accordance with the then applicable cash-in-lieu payment schedule adopted by the District from time to time or (ii) transfer acceptable raw water rights to the District in satisfaction of the raw water requirements for such development project.

ii. Development Requiring 5-Acre Feet or More. Any owner or developer of real property, whether acting alone or through one (1) or more Affiliates, who has an executed Water Service Agreement with the District as of September 13, 2020, and who is requesting water taps requiring five (5) acre feet or more of water for a development property, whether on one (1) or more separate lots, tracts or parcels, shall, at its election, either (i) transfer acceptable raw water rights to the District in satisfaction of the raw water requirements for such development project or (ii) transfer acceptable water rights to the District in satisfaction of seventy percent (70%) of the raw water requirements for such development project and pay to the District a cash payment in lieu of dedication of raw water in satisfaction of the remaining thirty percent (30%) of the raw water requirements in accordance with the then applicable cash-in-lieu payment schedule adopted by the District from time to time. For purposes of this Resolution, the term “Affiliate” shall mean any individual or entity that directly or indirectly through one (1) or more intermediaries controls or is controlled by or is under common control with another specified individual or entity.

iii. Cash-in-Lieu Payment Rate. The cash-in-lieu payment rate to be charged by the District in lieu of dedication of raw water shall be Fifty-Eight Thousand

Dollars (\$58,000.00) per Colorado-Big Thompson (C-BT) unit until further modified by the Board of Directors.

B. Projects in which a Water Service Agreement between the Owner/Developer and District was not executed as of September 13, 2020.

i. Raw Water Dedication. The owner or developer shall transfer acceptable raw water rights to the District in satisfaction of one-hundred percent (100%) of the raw water requirements for such development project. The District will not accept cash payments in lieu of such raw water dedication. Notwithstanding the foregoing, owners or developers purchasing a single tap from the District may make a cash-in-lieu payment to the District in lieu of making a raw water dedication, which cash-in-lieu payment shall be in accordance with the then applicable cash-in-lieu payment schedule adopted by the District, as may be amended from time to time. The foregoing exception to dedication of one-hundred percent (100%) of the raw water requirements for single tap purchases is not available for recorded exemptions approved by a County. In the event a recorded exemption is approved by a County, owners and/or developers of such divided and exempted properties are not eligible to purchase single taps from the District, and, therefore, are required to transfer the required raw water rights to the District in satisfaction of one-hundred percent (100%) of the raw water rights requirements as set forth in this paragraph.

ii. Phased Approach. Dedication of raw water rights may be in a phased approach to be agreed upon in writing by the District and the owner or developer, and which shall be memorialized in a Water Services Agreement between the District and the owner or developer. No water taps for any phase of development shall be issued until the agreed upon raw water dedication has been made for the applicable phase of development.

C. Developers/Owners subject to Paragraph I.A Requirements May Opt-in to Paragraph I.B Requirements. Developers and owners subject to the raw water and cash-in-lieu dedication requirements set forth in paragraph I.A, above, may opt to be subject to the requirements set forth in paragraph I.B by submitting a written request to the District and entering into an amended Water Services Agreement with the District setting forth the new dedication requirements. Any District costs associated with the amendment to the existing Water Services Agreement shall be paid in full by the developer or owner.

II. General Requirements for all Water Rights Dedications

A. Water Rights Acceptable to District. Only those water rights determined to be acceptable by the District shall be eligible for use in satisfying the District's raw water requirements. Conversion factors for such raw water rights and the determination of the amount of water available for allocation from such raw water rights shall be within the sole discretion of the Board of Directors.

B. Transfer of Water Rights. Water rights dedicated to the District and assigned for use to a subdivision or other real property shall not thereafter be re-assigned to another subdivision or other real property without the prior written authorization of the District, which authorization shall be within the sole and absolute discretion of the Board of Directors. All water rights dedicated to the District shall be owned by the District and the person or entity dedicating such water rights to the District shall have no further ownership interest in the raw water rights.

C. Costs and Expenses of Water Dedication. All costs and expenses to dedicate water rights to the District to satisfy the raw water requirements of the District shall be paid by the person or entity required to dedicate the water rights to the District. All costs and expenses necessary to change such water rights so that they can be diverted and used by the District for potable and non-potable water use shall be paid by the person or entity required to dedicate the water rights to the District, or his, her or its successor in interest, by payment of all required Water Court transfer fees.

D. Overlapping Municipalities with Higher Water Dedication Requirements. Notwithstanding anything in this Amended and Restated Water Dedication Policy to the contrary, if a municipality overlapping with the District or the District's Service Area, as may be defined in any agreement between the District and the overlapping municipality, requires a higher amount of water dedication under its water dedication policies and/or under a water service agreement between the municipality and the District, then the owner/developer shall be required to dedicate such higher amount to the District.

III. Under Dedicated Commercial Customer Dedication Requirements

Non-residential or wholesale water meter users ("Commercial Customers") determined by the District to have not previously dedicated water resources sufficient to meet their current usage ("Under Dedicated Commercial Users") shall be allowed to dedicate additional water resources to the District in an amount equal to the difference between the amount of water resources already dedicated to the District and fifty percent (50%) of the Commercial Customer's "Calculated Maximum Annual Volume" (defined below).

Calculated Maximum Annual Volume is calculated as the most recent five (5) year average of the Commercial Customer's maximum annual usage, minus ten percent (10%).

In general, a Commercial Meter is classified as a water tap with an allocation of more than four (4) acre-feet of water.



NORTH WELD COUNTY WATER DISTRICT

32825 CR 39 • LUCERNE, CO 80646
 P.O. BOX 56 • BUS: 970-356-3020 • FAX: 970-395-0997
WWW.NWCWD.ORG • EMAIL: WATER@NWCWD.ORG

EXHIBIT C

Table No. 1 – Tap Options and Requirements

	Raw Water	Plant Investment	Distance Fee	Meter Set Fee	Water Allocation (Annually)	Plant Investment Allocation (Annually)
Full Standard Tap	100%	100%	100%	100%	228,000 Gallons	228,000 Gallons
Restrictions		Lot Size greater than 0.33 Acres (14,375 sq. ft)				
75% Tap	75%	100%	100%	100%	171,000 Gallons	171,000 Gallons
Restrictions		Lot sizes greater than 0.20 acres (8,712 sq. ft) but less than 0.33 Acres (14,375 sq. ft) OR landowners with adequate, verifiable irrigation rights or well permits for outside water use				
50% Tap	50%	100%	100%	100%	114,000 Gallons	114,000 Gallons
Restrictions		Lot size less than 0.20 acres (8,712 sq. ft) OR with a Board Approved Irrigation System OR a Board Approved Commercial Enterprise				
<p>A tap may be allotted more than 1 unit of Water and/or Plant Investment. In this case the allotment is the unit/class X 228,000 gallons = Annual Allocation. (i.e. Water Allocation 5 x 228,000 = 1,140,000 gallons Annual Allocation)</p> <p>Surcharge will be assessed when an account's year to date usage exceeds the Water and/or Plant Investment Allotment. See Paragraph 14 and Table 4 for Rates.</p>						

Table No. 2 – District Tap Fees

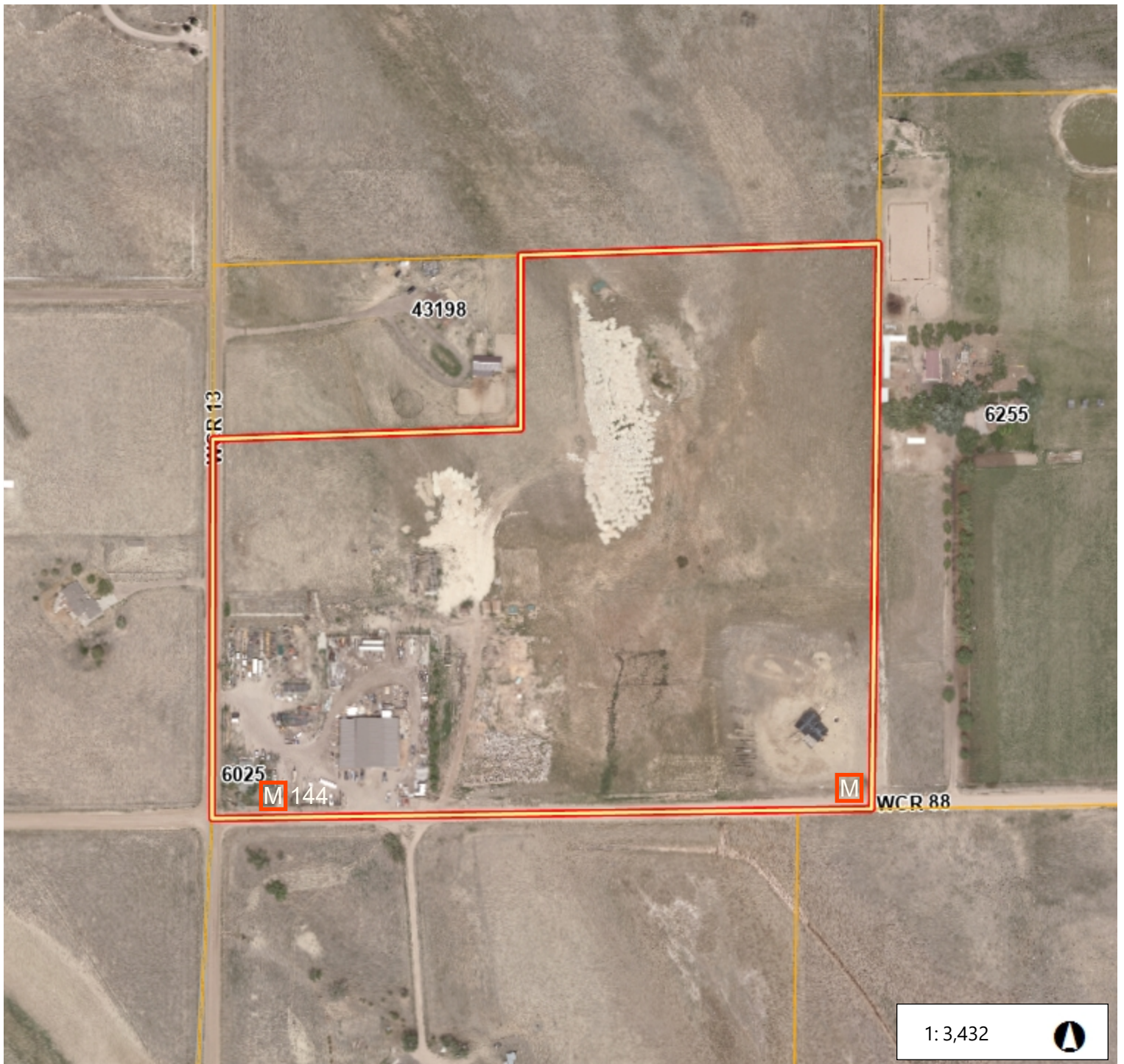
TAP FEES (Assumed for Full Standard Tap)	INSTALLATION COST
Raw Water for One Acre-Foot Unit (AFU) Effective 01/01/2023. Fee may change at Board Meeting each month. See nwcwd.org for current information.	\$73,500
Base Portion of Plant Investment Fee	\$21,900
Distance Portion of Plant Investment Fee (5 miles)	\$2,500
TOTAL Up-Front COSTS PER TAP	\$105,000 Full Standard Tap \$68,250 50% Residence Tap*
<p>*Per District Resolution No. 20210510-01, this parcel qualifies for a 50% Residence Tap because there is already a Full Tap serving the parcel (Premise # 144). Per the Resolution, a Deed Restriction will be required prior to the purchase of a 50% Residence Tap.</p> <p style="text-align: center;">See Table 1 for Options and/or Restrictions. Cost will exclude Line Reimbursement Fee & Supplemental Fee if applicable unless otherwise stated. See Paragraph 15 for Details</p>	
Price is valid for ten (10) business days from receiving this Letter.	
Minimum Pressure	35 psi
Normal Pressure Range	80 psi to 90 psi
Maximum Pressure	105 psi

Table No. 3 – Usage Rates and Fees

Usage Amount	Charge or Rate Per Month
0 to 6,000 gallons	\$28.50 Minimum
6,000 gallons and up	\$4.75 per 1,000 gallons (Kgal)

Table No. 4 – Plant Investment Surcharge Rates

All usage exceeding the Plant Investment Allotment	\$4.50 per 1,000 gallons (Kgal)
--	---------------------------------



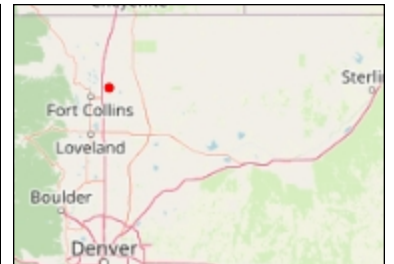
Legend

- Parcels
- Highway
- County Boundary

Lot B RECX13-0042, also known as 6025 CR 88, is served by existing meter number 144.

North Weld County Water District water service is available, according to the terms of this letter, to:

Lot B RECX13-0042, also known as 6247 CR 88.



572.1 0 286.04 572.1 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere
© Weld County Colorado

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



NORTH WELD COUNTY WATER DISTRICT

32825 CR 39 • LUCERNE, CO 80646

P.O. BOX 56 • BUS: 970-356-3020 • FAX: 970-395-0997

WWW.NWCWD.ORG • EMAIL: WATER@NWCWD.ORG

December 4, 2024

The 5258 Ranch LLC, Developer
3892 Tayside Ct.
Timnath, CO 80547

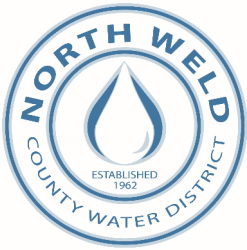
Derek Hofmeister, Agent
6297 Crooked Stick Dr.
Windsor, CO 80550

Subject: Water Service Request, The 5258 Ranch LLC Property, Livestock (5 horses) Tap Request

This Letter of Intent (the "Letter") is in response to your inquiry regarding water service from North Weld County Water District (the "District") to the property legally described in **Exhibit A**, attached hereto and incorporated by this reference (the "Property"). The 5258 Ranch LLC shall be referred to herein as the "Developer".

In order to support you with obtaining water service, you should understand the following:

1. The District is able to provide water service to the Property, contingent upon all requirements of the District being satisfied. If all District requirements, including all contracts, have not been satisfied and completed with the District within 1 year of the date of this Letter, this Letter is no longer of any force and effect. After 1 year, it should be understood that the District reserves the right to refuse water service, if raw water is unavailable, and/or pipeline or water treatment capacity is not capable of providing water service to the above-described property.
2. Before a water tap may be purchased, the Developer must provide a copy of a **Warranty Deed**, a **Physical Address**, and provide a copy of **this Letter**, which **Letter** must be acknowledged by the Developer and also recorded on the Property in the real property records of the Weld or Larimer County Clerk and Recorder, as appropriate.
3. The Developer must sign and execute any and all necessary Easement and Rights-of-Way Agreements regarding specific locations, widths, size of pipeline(s) and descriptions for the Line Extension as determined by the District. Providing water service to the Property is contingent upon execution and recording of the Easement and Right-of-Way Agreements. Until such Easement and Right-of-Way Agreements are finalized and recorded to the satisfaction of the District, the District will not initiate the design or construction of the Meter Set or Line Extension needed to provide water service to the Property.
4. Based on the irrigation use of the Property along with other pertinent information provided on the Water Tap Request Form, **the District recommends the Developer's irrigated landscaping square footage not exceed 6,000 square feet**. This recommendation is based on the Full Standard Tap allocation and should be used to optimize delivery without surcharge (i.e., to minimize the risk or likelihood of surcharge). Should the Developer desire to irrigate a larger landscaped area, the District recommends the Developer purchase an additional allocation.
5. Developer is subject to the District's Amended and Restated Water Dedication Policy, which may be amended from time to time (the Policy"). A copy of the current Policy is attached hereto as **Exhibit B**.
6. In no event shall Developer apply for a land division of the Property with a County prior to dedicating water as required by the Policy and as set forth above. In the event Developer fails to dedicate water in relation to the Property prior to a County approving a land division, the sole recourse of any future owners of the divided Property shall be against the Developer.
7. Any future owners of the Property or divided Property shall be third-party beneficiaries to this Letter and shall have the right to enforce the terms of this Letter against the Developer. Nothing contained in this Letter shall give or allow any claim or right of action against the District by a subsequent owner of the Property or divided portion of the Property. The Developer shall be solely responsible for any claims relating to its failure to dedicate water rights as required by the Policy.
8. The District's water tap options are shown in Table No. 1 included in **Exhibit C** of this Letter.
9. The District's current tap fees are shown in Table No. 2 included in **Exhibit C** of this Letter. **The District's tap fees shall be valid for 10 business days from the date the Developer receives this Letter. The tap fees must be paid within 10 business days of Letter receipt. After 10 business days of Letter receipt, tap fees will be subject to the 'then in effect rates' (current cost) established by the District.** The District is not responsible for notifying individuals, banks, lenders, prospective buyers, real estate agents or anyone else, in any manner, of a change of rates and/or fees.



NORTH WELD COUNTY WATER DISTRICT

32825 CR 39 • LUCERNE, CO 80646

P.O. BOX 56 • BUS: 970-356-3020 • FAX: 970-395-0997

WWW.NWCWD.ORG • EMAIL: WATER@NWCWD.ORG

10. **The Meter Set Fee is valid only for the location shown on the map attached hereto as Exhibit D.** After the water tap has been purchased (Raw Water AFU & Plant Investment Fee), the Developer has 1 year in which to have the meter set. The District requires a minimum 60 day advance notice to set the meter. If the meter has not been set within 12 months from the purchase date and the Developer requests in writing to relinquish the meter, the District shall refund the Developer 98% of the tap fee. If longer than a year, the District will refund the Developer 90% of the tap fee paid. **If the Developer does not choose to relinquish the meter within 12 months of the Developer purchasing the meter and the meter remains unset, the account will begin to be billed the minimum monthly amount.**
11. The District's current usage rates and fees are shown in Table No. 3 included in **Exhibit C** of this Letter.
12. **Water Surcharge.** Water surcharge fees will be assessed when an account's year to date usage exceeds the annual water allotment at a rate set forth in the District's Fee Schedule, as may be amended from time to time. Surcharge fees are assessed as a penalty and deterrent for over usage by customers.
13. **Rate Differential Charge.** Effective November 1, 2015, the District no longer accepts water transfers.
14. The District's current Plant Investment Surcharge is shown in Table No. 4 included in **Exhibit C** of this Letter. Plant Investment Surcharge will be assessed when an account's year to date usage exceeds the Plant Investment Allotment. The transfer of additional water will **not** remove this charge. Additional Plant Investment Units must be purchased to increase the allotment and reduce the Plant Investment Surcharges. These rates are in addition to the standard monthly usage fee.
15. The District has reviewed the Developer's Water Tap Request Application. Based on the information provided in the application, the District's review included, but was not limited to, engineering review, field inspections, fire flow analysis, hydraulic modeling, identification of offsite infrastructure improvement needs, preliminary pipe sizing, and/or developing a preliminary line extension layout and fee estimate. **If offsite infrastructure or a line extension is deemed necessary to serve the Developer's property, the Developer is required to submit to the District for further Plan Review or Design Approval prior to installation or service being provided by the District. Please reference the Process for Obtaining Water Service workflow diagram for details on the Plan Review or Design scope of services.** It is important to note that all crossing agreements, easements or other outside third-party contracts require full execution prior to any construction or water service being provided. It is imperative that the Developer allow ample time for the Plan Review or Design Approval process prior to requiring water service.
16. Developer is subject to the Backflow Prevention and Cross Connection Control Regulation, which may be amended from time to time. A copy of the Backflow Prevention and Cross Connection Control Regulation can be obtained from the District Manager.

The District hopes this Letter provides the necessary information to facilitate progress in meeting the requirements needed to secure water for the above described property. Should you have any questions or concerns, please contact the District.

Sincerely,

Title: _____, Board of Directors

Date

North Weld County Water District

(Acknowledgement and Agreement by Developer follows.)



NORTH WELD COUNTY WATER DISTRICT

32825 CR 39 • LUCERNE, CO 80646

P.O. BOX 56 • BUS: 970-356-3020 • FAX: 970-395-0997

WWW.NWCWD.ORG • EMAIL: WATER@NWCWD.ORG

Acknowledgement and Agreement by Developer

The Developer hereby acknowledges and agrees to the terms of this Letter of Intent, including its obligation to dedicate water in relation to the Property. The Developer acknowledges and agrees that it shall be solely responsible for any claims that may be brought in the future by subsequent owners of the Property or portion of the Property in regards to Developer's failure to make an appropriate water dedication prior to selling all or a portion of the Property.

The Developer, its successors and assigns, hereby agrees to defend, indemnify and hold harmless the District and each of its directors, officers, contractors, employees, agents and consultants (collectively, the "District Indemnitees"), from and against any and all claims, demands, losses, liabilities, actions, lawsuits, damages, and expenses (the "Claims"), including reasonable legal expenses and attorneys' fees actually incurred, by the District Indemnitees arising directly or indirectly, in whole or in part, out of the errors or omissions, negligence, willful misconduct, or any criminal or tortious act or omission of the Developer or any of its subcontractors, officers, agents or employees, in connection with this Letter of Intent and/or the Developer's obligation to appropriately dedicate water prior to selling all or a portion of the Property. In the event the Developer fails to assume the defense of any Claims required in this paragraph within fifteen (15) days after notice from the District of the existence of such Claim, the District may assume the defense of the Claim with counsel of its own selection, and the Developer will pay all reasonable expenses of such counsel.

The 5258 Ranch LLC

_____ Date

By: _____

Name: _____

Its: _____



NORTH WELD COUNTY WATER DISTRICT

32825 CR 39 • LUCERNE, CO 80646

P.O. BOX 56 • BUS: 970-356-3020 • FAX: 970-395-0997

WWW.NWCWD.ORG • EMAIL: WATER@NWCWD.ORG

EXHIBIT A

Lot B of Recorded Exemption No. 0705-19-3 RECX20-0141, according to the map recorded March 10, 2021 at Reception Number 4691394, being a part of the Southwest Quarter of Section 19, Township 7 North, Range 67 West of the 6th P.M., County of Weld, State of Colorado.

(Street Address: 38220 CR 13, Fort Collins, CO)

Weld County Parcel Number: 070519300057

EXHIBIT B

NORTH WELD COUNTY WATER DISTRICT

AMENDED AND RESTATED WATER DEDICATION POLICY

I. Water Dedication Requirements

A. Projects in which the District has an executed Water Services Agreement with Owner/Developer as of September 13, 2020.

i. Development Requiring Less than 5-Acre Feet of Water. Any owner or developer of real property who has an executed Water Service Agreement with the District as of September 13, 2020, and who is requesting water taps requiring less than five (5) acre feet of water for a development project, whether on one (1) or more separate lots, tracts or parcels, shall, at its election, either (i) pay to the District a cash payment in lieu of dedication of raw water in accordance with the then applicable cash-in-lieu payment schedule adopted by the District from time to time or (ii) transfer acceptable raw water rights to the District in satisfaction of the raw water requirements for such development project.

ii. Development Requiring 5-Acre Feet or More. Any owner or developer of real property, whether acting alone or through one (1) or more Affiliates, who has an executed Water Service Agreement with the District as of September 13, 2020, and who is requesting water taps requiring five (5) acre feet or more of water for a development property, whether on one (1) or more separate lots, tracts or parcels, shall, at its election, either (i) transfer acceptable raw water rights to the District in satisfaction of the raw water requirements for such development project or (ii) transfer acceptable water rights to the District in satisfaction of seventy percent (70%) of the raw water requirements for such development project and pay to the District a cash payment in lieu of dedication of raw water in satisfaction of the remaining thirty percent (30%) of the raw water requirements in accordance with the then applicable cash-in-lieu payment schedule adopted by the District from time to time. For purposes of this Resolution, the term “Affiliate” shall mean any individual or entity that directly or indirectly through one (1) or more intermediaries controls or is controlled by or is under common control with another specified individual or entity.

iii. Cash-in-Lieu Payment Rate. The cash-in-lieu payment rate to be charged by the District in lieu of dedication of raw water shall be Fifty-Eight Thousand

Dollars (\$58,000.00) per Colorado-Big Thompson (C-BT) unit until further modified by the Board of Directors.

B. Projects in which a Water Service Agreement between the Owner/Developer and District was not executed as of September 13, 2020.

i. Raw Water Dedication. The owner or developer shall transfer acceptable raw water rights to the District in satisfaction of one-hundred percent (100%) of the raw water requirements for such development project. The District will not accept cash payments in lieu of such raw water dedication. Notwithstanding the foregoing, owners or developers purchasing a single tap from the District may make a cash-in-lieu payment to the District in lieu of making a raw water dedication, which cash-in-lieu payment shall be in accordance with the then applicable cash-in-lieu payment schedule adopted by the District, as may be amended from time to time. The foregoing exception to dedication of one-hundred percent (100%) of the raw water requirements for single tap purchases is not available for recorded exemptions approved by a County. In the event a recorded exemption is approved by a County, owners and/or developers of such divided and exempted properties are not eligible to purchase single taps from the District, and, therefore, are required to transfer the required raw water rights to the District in satisfaction of one-hundred percent (100%) of the raw water rights requirements as set forth in this paragraph.

ii. Phased Approach. Dedication of raw water rights may be in a phased approach to be agreed upon in writing by the District and the owner or developer, and which shall be memorialized in a Water Services Agreement between the District and the owner or developer. No water taps for any phase of development shall be issued until the agreed upon raw water dedication has been made for the applicable phase of development.

C. Developers/Owners subject to Paragraph I.A Requirements May Opt-in to Paragraph I.B Requirements. Developers and owners subject to the raw water and cash-in-lieu dedication requirements set forth in paragraph I.A, above, may opt to be subject to the requirements set forth in paragraph I.B by submitting a written request to the District and entering into an amended Water Services Agreement with the District setting forth the new dedication requirements. Any District costs associated with the amendment to the existing Water Services Agreement shall be paid in full by the developer or owner.

II. General Requirements for all Water Rights Dedications

A. Water Rights Acceptable to District. Only those water rights determined to be acceptable by the District shall be eligible for use in satisfying the District's raw water requirements. Conversion factors for such raw water rights and the determination of the amount of water available for allocation from such raw water rights shall be within the sole discretion of the Board of Directors.

B. Transfer of Water Rights. Water rights dedicated to the District and assigned for use to a subdivision or other real property shall not thereafter be re-assigned to another subdivision or other real property without the prior written authorization of the District, which authorization shall be within the sole and absolute discretion of the Board of Directors. All water rights dedicated to the District shall be owned by the District and the person or entity dedicating such water rights to the District shall have no further ownership interest in the raw water rights.

C. Costs and Expenses of Water Dedication. All costs and expenses to dedicate water rights to the District to satisfy the raw water requirements of the District shall be paid by the person or entity required to dedicate the water rights to the District. All costs and expenses necessary to change such water rights so that they can be diverted and used by the District for potable and non-potable water use shall be paid by the person or entity required to dedicate the water rights to the District, or his, her or its successor in interest, by payment of all required Water Court transfer fees.

D. Overlapping Municipalities with Higher Water Dedication Requirements. Notwithstanding anything in this Amended and Restated Water Dedication Policy to the contrary, if a municipality overlapping with the District or the District's Service Area, as may be defined in any agreement between the District and the overlapping municipality, requires a higher amount of water dedication under its water dedication policies and/or under a water service agreement between the municipality and the District, then the owner/developer shall be required to dedicate such higher amount to the District.

III. Under Dedicated Commercial Customer Dedication Requirements

Non-residential or wholesale water meter users ("Commercial Customers") determined by the District to have not previously dedicated water resources sufficient to meet their current usage ("Under Dedicated Commercial Users") shall be allowed to dedicate additional water resources to the District in an amount equal to the difference between the amount of water resources already dedicated to the District and fifty percent (50%) of the Commercial Customer's "Calculated Maximum Annual Volume" (defined below).

Calculated Maximum Annual Volume is calculated as the most recent five (5) year average of the Commercial Customer's maximum annual usage, minus ten percent (10%).

In general, a Commercial Meter is classified as a water tap with an allocation of more than four (4) acre-feet of water.



NORTH WELD COUNTY WATER DISTRICT

32825 CR 39 • LUCERNE, CO 80646
 P.O. BOX 56 • BUS: 970-356-3020 • FAX: 970-395-0997
WWW.NWCWD.ORG • EMAIL: WATER@NWCWD.ORG

EXHIBIT C

Table No. 1 – Tap Options and Requirements

	Raw Water	Plant Investment	Distance Fee	Meter Set Fee	Water Allocation (Annually)	Plant Investment Allocation (Annually)
Full Standard Tap	100%	100%	100%	100%	228,000 Gallons	228,000 Gallons
Restrictions		Lot Size greater than 0.33 Acres (14,375 sq. ft)				
75% Tap	75%	100%	100%	100%	171,000 Gallons	171,000 Gallons
Restrictions		Lot sizes greater than 0.20 acres (8,712 sq. ft) but less than 0.33 Acres (14,375 sq. ft) OR landowners with adequate, verifiable irrigation rights or well permits for outside water use				
50% Tap	50%	100%	100%	100%	114,000 Gallons	114,000 Gallons
Restrictions		Lot size less than 0.20 acres (8,712 sq. ft) OR with a Board Approved Irrigation System OR a Board Approved Commercial Enterprise				
<p>A tap may be allotted more than 1 unit of Water and/or Plant Investment. In this case the allotment is the unit/class X 228,000 gallons = Annual Allocation. (i.e. Water Allocation 5 x 228,000 = 1,140,000 gallons Annual Allocation)</p> <p>Surcharge will be assessed when an account's year to date usage exceeds the Water and/or Plant Investment Allotment. See Paragraph 14 and Table 4 for Rates.</p>						

Table No. 2 – District Tap Fees

TAP FEES (Assumed for Full Standard Tap)		INSTALLATION COST	
Raw Water for One Acre-Foot Unit (AFU) Effective 01/01/2023. Fee may change at Board Meeting each month. See nwcwd.org for current information.	\$73,500	Meter Set Fee Per Tap	\$9,400
Base Portion of Plant Investment Fee	\$21,900		
Distance Portion of Plant Investment Fee (4 miles)	\$2,000		
TOTAL Up-Front COSTS PER TAP		\$106,800 Full Standard Tap	
<p>See Table 1 for Options and/or Restrictions. Cost will exclude Line Reimbursement Fee & Supplemental Fee if applicable unless otherwise stated. See Paragraph 15 for Details</p>			
Price is valid for ten (10) business days from receiving this Letter.			
Minimum Pressure		35 psi	
Normal Pressure Range		90 psi to 100 psi	
Maximum Pressure		105 psi	

Table No. 3 – Usage Rates and Fees




Usage Amount	Charge or Rate Per Month
0 to 6,000 gallons	\$28.50 Minimum
6,000 gallons and up	\$4.75 per 1,000 gallons (Kgal)

Table No. 4 – Plant Investment Surcharge Rates

All usage exceeding the Plant Investment Allotment	\$4.50 per 1,000 gallons (Kgal)
--	---------------------------------



Legend

-  Parcels
-  Highway
-  County Boundary

North Weld County Water District water service is available, according to the terms of this letter, to:

Lot B RECX20-0141, also known as 38220 CR 13.



200.0 0 100.00 200.0 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere
© Weld County Colorado

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Account # 1250000
(7 Water, 7 Plant Investments)

Customer would like to sell 5 of their 7 Water Allocations back to the District prior to selling the parcel. The buyer understands the account will have 2 Water Allocations when they purchase the parcel and assume ownership of the tap.



**NORTH WELD COUNTY WATER DISTRICT
ANNUAL ADMINISTRATIVE RESOLUTION
(2025)**

WHEREAS, North Weld County Water District (the “District”), was organized as a special district pursuant to an Order and Decree of the District Court in and for the County of Weld, Colorado (the “**County**”), and is located entirely within the counties of Larimer and Weld, Colorado; and

WHEREAS, the Board of Directors (the “**Board**”) of the District has a duty to perform certain obligations in order to assure the efficient operation of the District and hereby directs its consultants to take the following actions.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

1. The Board directs the District’s Manager to cause an accurate map of the District’s boundaries to be prepared in accordance with the standards specified by the Division of Local Government (“**Division**”) and to be filed in accordance with § 32-1-306, C.R.S.

2. The Board directs the District’s Manager to notify the Board of County Commissioners, the County Assessor, the County Treasurer, the County Clerk and Recorder, the governing body of any municipality in which the District is located, and the Division of the name of the chairman of the Board, the contact person, telephone number, and business address of the District, as required by § 32-1-104(2), C.R.S.

3. The Board directs the District’s Manager to prepare and file with the Division, within thirty (30) days of a written request from the Division, an informational listing of all contracts in effect with other political subdivisions, in accordance with § 29-1-205, C.R.S.

4. The Board directs the District’s Manager to cause the preparation of and to file with the Department of Local Affairs the annual public securities report for nonrated public securities issued by the District within sixty (60) days of the close of the fiscal year, as required by §§ 11-58-101, et seq., C.R.S.

5. The Board directs the District’s Manager to: (a) obtain proposals for auditors to be presented to the Board; (b) cause an audit of the annual financial statements of the District to be prepared and submitted to the Board on or before June 30; and (c) cause the audit to be filed with the State Auditor by July 31, or by the filing deadline permitted under any extension thereof, all in accordance with §§ 29-1-603(1) and 606, C.R.S. Alternatively, if warranted by § 29-1-604, C.R.S., the Board directs the District’s accountant to apply for and obtain an audit exemption from the State Auditor on or before March 31 in accordance with § 29-1-604, C.R.S.

6. The Board directs the District’s Manager, if the District has authorized but unissued general obligation debt as of the end of the fiscal year, to cause to be submitted to the Board of County Commissioners or the governing body of the municipality that adopted a resolution of approval of the District the District’s audit report or a copy of its application for exemption from audit in accordance with § 29-1-606(7), C.R.S.

7. The Board directs the District's accountant to submit a proposed budget to the Board by October 15 and prepare the final budget and budget message, including any amendments thereto, if necessary. The Board also directs the District's accountant to perform the property tax limit calculation, if required by §§ 29-1-306, *et seq.*, C.R.S., and to inform the Board of the result of such calculation. The Board directs the District's Manager to schedule a public hearing on the proposed budget or amendments, as applicable, and to post or publish notices thereof. The Board directs legal counsel to prepare all budget resolutions. The Board directs legal counsel to file the budget, budget resolution, and budget message with the Division on or before January 30th, all in accordance with §§ 29-1-101, *et seq.*, C.R.S.

8. The Board directs the District's accountant to monitor all expenditures and, if necessary, to notify the District's legal counsel, the District's Manager, and the Board when expenditures are expected to exceed appropriated amounts. The Board directs legal counsel to prepare all budget amendment resolutions. The Board directs the District's Manager to schedule a public hearing on a proposed budget amendment and post or publish notices thereof in accordance with § 29-1-106, C.R.S. The Board directs legal counsel to file the amended budget with the Division on or before the date of making such expenditure or contracting for such expenditure, all in accordance with §§ 29-1-101, *et seq.*, C.R.S.

9. The Board directs legal counsel to cause the preparation of the Unclaimed Property Act report and submission of the same to the State Treasurer by November 1st if there is property presumed abandoned and subject to custody as unclaimed property, in accordance with § 38-13-110, C.R.S.

10. The Board directs the District's legal counsel to prepare the mill levy certification form and directs legal counsel to file the mill levy certification form with the Board of County Commissioners on or before December 15th, in accordance with § 39-5-128, C.R.S.

11. The Board directs that all legal notices shall be published in accordance with § 32-1-103(15), C.R.S.

12. The Board hereby determines that each member of the Board shall, for any potential or actual conflicts of interest, complete conflicts of interest disclosures and directs legal counsel to file the conflicts of interest disclosures with the Board and with the Colorado Secretary of State at least seventy-two (72) hours prior to every regular and special meeting of the Board, in accordance with § 32-1-902(3)(b) and § 18-8-308, C.R.S. Written disclosures provided by Board members required to be filed with the governing body in accordance with § 18-8-308, C.R.S., shall be deemed filed with the Board when filed with the Secretary of State. Additionally, at the beginning of each year, each Board member shall submit information to legal counsel regarding any actual or potential conflicts of interest and, throughout the year, each Board member shall provide legal counsel with any revisions, additions, corrections, or deletions to said conflicts of interest disclosures.

13. The Board confirms its obligations under § 24-10-110(1), C.R.S., with regards to the defense and indemnification of its public employees, which, by definition, includes elected and appointed officers.

14. The Board hereby appoints the District's Manager as the official custodian for the maintenance, care, and keeping of all public records of the District, in accordance with §§ 24-72-202, et seq., C.R.S. The Board hereby directs its legal counsel, accountant, manager, and all other consultants to adhere to the Colorado Special District Records Retention Schedule as adopted by the District.

15. The Board directs the District's Manager to post notice of all regular and special meetings in accordance with § 32-1-903(2) and § 24-6-402(2)(c), C.R.S. The Board hereby designates <https://nwcwd.org/> as the District's website for the posting of its regular and special meeting notices. The Board also hereby designates, unless otherwise designated by the Board, 32825 Weld County Road 39, Lucerne, Colorado as the location the District will post notices of meetings in the event of exigent or emergency circumstances which prevent the District from posting notice of the meeting on the District's website. The Board directs the District's Manager to provide the website address set forth above to the Department of Local Affairs for inclusion in the inventory maintained pursuant to § 24-32-116, C.R.S.

16. The Board determines to hold regular meetings on the second Monday of each month, at 8:30 a.m. at 32825 County Road 39, Lucerne, Colorado, 80646, and by telephone, electronic, or other means not requiring physical presence. All notices of meetings shall designate whether such meeting will be held by electronic means, at a physical location, or both, and shall designate how members of the public may attend such meeting, including the conference number or link by which members of the public can attend the meeting electronically, if applicable.

17. The Board determines to hold an annual meeting, pursuant to § 32-1-903(6), on the first Monday of December following the regular board meeting at location, and 32825 County Road 39, Lucerne, Colorado, 80646, and by telephone, electronic, or other means not requiring physical presence, subject to change by action of the Board. Notice of the annual meeting shall designate whether such meeting will be held by electronic means, at a physical location, or both, and shall designate how members of the public may attend such meeting, including the conference number or link by which members of the public can attend the meeting electronically, if applicable. The District's Manager shall be responsible for coordinating the required presentations for the annual meeting.

18. In the event of an emergency, the Board may conduct a meeting outside of the limitations prescribed in § 24-6-402(2)(c), C.R.S., provided that any actions taken at such emergency meeting are ratified at the next regular meeting of the Board or at a special meeting conducted after proper notice has been given to the public.

19. The Board directs the District's Manager to maintain the District's website in compliance with state and federal requirements and to make such documents and information required by § 32-1-104.5, C.R.S. available to the public on the District's website.

20. For the convenience of the electors of the District, and pursuant to its authority set forth in § 1-13.5-1101, C.R.S., the Board hereby deems that all regular and special elections of the District shall be conducted as independent mail ballot elections in accordance with §§ 1-13.5-1101,

et seq., C.R.S., unless otherwise deemed necessary and expressed in a separate election resolution adopted by the Board.

21. Pursuant to the authority set forth in § 1-1-111, C.R.S., the Board hereby appoints Ashley B. Frisbie, as the Designated Election Official (the “**DEO**”) of the District for any elections called by the Board, or called on behalf of the Board by the DEO, and hereby authorizes and directs the DEO to take all actions necessary for the proper conduct of the election, including, if applicable, cancellation of the election in accordance with § 1-13.5-513, C.R.S.

22. In accordance with § 1-11-103(3), C.R.S., the Board hereby directs the DEO to certify to the Division the results of any elections held by the District and, pursuant to § 32-1-1101.5(1), C.R.S., to certify results of any ballot issue election to incur general obligation indebtedness to the Board of County Commissioners or the governing body of the municipality that adopted a resolution of approval of the District and file a copy of such certification with the Division of Securities.

23. The Board directs legal counsel to cause a notice of authorization of or notice to incur general obligation debt to be recorded with the County Clerk and Recorder within thirty (30) days of authorizing or incurring any indebtedness, in accordance with § 32-1-1604, C.R.S.

24. Pursuant to the authority set forth in § 24-12-103, C.R.S., the Board hereby designates, in addition to any officer of the District, Kristine N. Stone of the law firm of White Bear Ankele Tanaka & Waldron, Attorneys at Law, as a person with the power to administer all oaths or affirmations of office and other oaths or affirmations required to be taken by any person upon any lawful occasion.

25. The Board directs the District's Manager to cause the preparation of and filing with the Board of County Commissioners or the governing body of the municipality that adopted a resolution of approval of the District, if requested, the application for quinquennial finding of reasonable diligence in accordance with § 32-1-1101.5(1.5), (2), C.R.S.

26. The Board directs the District's Manager to cause the preparation of and the filing with the Board of County Commissioners or the governing body of any municipality in which the District is located, the Division, the State Auditor, the County Clerk and Recorder, and any interested parties entitled to notice pursuant to § 32-1-204(1), C.R.S., an annual report in accordance with § 32-1-207(3)(c), C.R.S.

27. The Board directs the District's Manager to obtain proposals and/or renewals for insurance, as applicable, to insure the District against all or any part of the District's liability, in accordance with §§ 24-10-115, *et seq.*, C.R.S. The Board directs the District's Manager to review and update the District's property schedule as needed, and no less than annually. The Board directs the District's accountant to pay the annual SDA membership dues, agency fees, and insurance premiums, as applicable, in a timely manner. The Board appoints the District's Manager as its proxy for the SDA Annual meeting for voting and quorum purposes.

28. The Board hereby opts to include elected or appointed officials as employees within the meaning of § 8-40-202(1)(a)(I)(A), C.R.S., and hereby directs the District's Manager to obtain workers' compensation coverage for the District.

29. The Board hereby directs legal counsel to prepare the disclosure notice required by § 32-1-809, C.R.S., and to disseminate the information to the electors of the District accordingly. Further, the Board hereby designates the following website as the District's official website for the purposes thereof: <https://nwcwd.org/>.

30. The Board hereby directs legal counsel to prepare and record with the County Clerk and Recorder updates to the disclosure statement notice and map required by § 32-1-104.8, C.R.S., if additional property is included within the District's boundaries.

31. In accordance with § 38-35-109.5(2), C.R.S., the District hereby designates the President of the Board as the official who shall record any instrument conveying title of real property to the District within thirty (30) days of any such conveyance.

32. In accordance with § 8-13.3-202, et seq., C.R.S., and to the extent not previously approved, the Board directs the District's legal counsel to prepare an appropriate resolution for adoption by the Board declaring the District's intentions relative to participation in the Family and Medical Leave Insurance Act. Further, to the extent the Board adopts a resolution declining to participate, the Board directs the District's Manager to bring the matter of revisiting the decision to decline participation before a future Board by no later than eight (8) years from the date of the vote on such resolution.

33. The Board hereby affirms the adoption of the corporate seal in substantially the form appearing on the signature page of this resolution in accordance with § 32-1-902, C.R.S., regardless of whether initially produced electronically or manually. The requirement of any District resolution, proceeding or other document to "affix" the District seal thereto, including for the purpose of satisfying any applicable State law, shall be satisfied by manual impression or print, facsimile reproduction or electronic reproduction, or inclusion of the image of such seal. Without limiting the foregoing, any electronic production or reproduction of the image of the seal shall constitute an electronic record of information, as defined in the Uniform Electronic Transactions Act, and the Board hereby authorizes its use in accordance with the authority provided by § 24-71.3-118, C.R.S.

34. The Board directs the District's Accountant to prepare and submit the documentation required by any continuing disclosure obligation signed in conjunction with the issuance of debt by the District.

35. The Board directs legal counsel to monitor, and inform the Board of, any legislative changes that may occur throughout the year.

[Remainder of Page Intentionally Left Blank, Signature Page Follows]

ADOPTED DECEMBER 9, 2024

(SEAL)

DISTRICT:

NORTH WELD COUNTY WATER DISTRICT, a quasi-municipal corporation and political subdivision of the State of Colorado

By: _____
Officer of the District

Attest:

By: _____

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law

General Counsel to the District

**NORTH WELD COUNTY WATER DISTRICT
AMENDED AND RESTATED PUBLIC RECORDS REQUEST POLICY
Adopted December 9, 2024**

I. Purposes of the District’s Public Records Request Policy

This Public Records Request Policy of the North Weld County Water District (the “**District**”) shall be applied and interpreted with the following purposes in mind:

- A. To adopt a Public Records Request Policy pursuant to § 24-72-203(1), C.R.S.;
- B. To provide access to and the protection and integrity of Public Records in the custody of the District;
- C. To prevent unnecessary interference with the regular discharge of the duties of the District and its manager in compliance with the Colorado Open Records Act, §§ 24-72-200.1 to 24-72-206, C.R.S. (“**CORA**”);
- D. To establish reasonable and standardized fees for producing copies of and information from records maintained by the District as authorized by CORA; and
- E. To set forth a general procedure for providing consistent, prompt and equitable service to those requesting access to Public Records.

II. Public Records Requests

A. Applicability.

This Public Records Request Policy applies to requests submitted to the Districts for the inspection of Public Records pursuant to CORA, and shall supersede any previously adopted CORA policies of the Districts.

B. Definitions.

1. “**Custodian**”: Except as otherwise provided in this policy, the term “**Custodian**” shall mean District Manager, or any successor that has been designated by the Board of Directors of the District to oversee the collection, retention, and retrieval of Public Records of the District.

2. “**Public Records**”: As defined in § 24-72-202(6), C.R.S.

C. Submission of Requests

1. Requests for inspection of Public Records are to be submitted in writing on an official request form to the Custodian, and must be sufficiently specific as to enable the Custodian to locate the information requested with reasonable effort. The official request form is attached hereto as **Exhibit A** and incorporated herein by this reference, as may be modified from time to time by the District. The District has determined that the use of an official request form is necessary for the efficient handling of Public Records requests.

2. Requests may be submitted by mail, fax, e-mail, or hand-delivery.
3. A request shall be considered made when the request is actually received by the Custodian:
 - a. A letter is received when it is opened in the usual course of business by the recipient or a person authorized to open the recipient's mail;
 - b. A fax is received when it is printed during regular business hours, or, if received after hours, at 8:30 a.m. on the following business day; and
 - c. An e-mail is received when it is received and opened during regular business hours, or, if received after hours, at 8:30 a.m. on the following business day.
4. If a deposit is required, the request is not considered received until the deposit is paid.

D. Inspection.

1. The Custodian or the Custodian's designee shall make the requested Public Records available for inspection during regular business hours, deemed to be from 8:30 a.m. to 4:30 p.m., Monday through Friday, except for times the Custodian's office is closed. During the inspection of Public Records, the Custodian may ask that the requestor follow certain procedures to protect the integrity of the Public Records.

2. If a Public Record is not immediately or readily available for inspection, the Custodian or the Custodian's designee shall make an appointment or other arrangements with the applicant concerning the time at which the requested record will be available. The Public Records shall be made available for inspection within a reasonable time, which is presumed to be three (3) working days or less from the date of receipt of the request. Such three (3) day period may be extended by an additional seven (7) working days if extenuating circumstances, as described in § 24-72-203(3)(b), C.R.S., exist. Responding to applications for inspection of Public Records need not take priority over the previously scheduled work activities of the Custodian or the Custodian's designee.

3. All Public Records to which the request applies shall be preserved from the date of the request until such time as set forth in the District's records maintenance, retention, or deletion policy or practices utilized by the Custodian.

4. No one shall remove a Public Record from the Custodian's offices without the permission of the Custodian. Public Records may be removed from file folders or places of storage for photocopying by the Custodian or the Custodian's designee. The Custodian may allow a person to use his or her own portable electronic equipment to make copies of Public Records.

5. As a general practice, in response to a Public Records request:

- a. Public Records will be made available for inspection in the format in which they are stored. If the Custodian is unable to produce the Public Record in its stored format for any reason set forth in § 24-72-203(3.5)(b) C.R.S., an alternate format may be produced or a denial issued under § 24-72-204, C.R.S.

b. The person making the request shall not be allowed to access the Custodian's computer or any other computer for purposes of inspecting any Public Records;

c. Any portion of a Public Record containing non-public information that is not subject to inspection may be redacted by the Custodian prior to making the record available for inspection. The Custodian is not required to redact information from a writing that is not a Public Record in order to make the writing available for inspection. *Denver Publishing Co. v. Bd. Of County Comm'rs of the County of Arapahoe*, 121 P.3d 190 (Colo. 2005); *Colorado Republican Party v. Benefield, et al.*, Court of Appeals No. 07CA1216, Oct. 23, 2008 (Unpublished).

d. The Custodian, in consultation with the District's general counsel, will determine which information is no longer considered "work-in-progress" subject to the deliberative process or work product privilege and therefore eligible for release.

e. Altering an existing Public Record, or excising fields of information that the Custodian is either required or permitted to withhold does not constitute the creation of a new Public Record. Section 24-72-203(3.5)(d), C.R.S.

f. Upon request, the Custodian will produce a public record in a format accessible to individuals with disabilities. Section 24-72-203(3.5)(e), C.R.S.

g. A document will not ordinarily be created in order to respond to a request.

6. Where a request seeks in excess of twenty-five (25) electronically-stored Public Records, the following procedure shall apply in responding to such a request:

a. The Custodian shall solicit the comments of the requestor regarding any search terms to be used to locate and extract such records, and, in doing so, will seek to have the request refined so that it does not result in an inordinate number of irrelevant or duplicative documents, it being understood that the Custodian will make the final determination regarding search terms;

b. The Custodian shall designate an employee or another person with experience in performing electronic searches to locate and extract responsive records;

c. The person who is designated to perform the searches shall consult, as appropriate, with legal counsel to identify privileged records that should not be produced; and

d. Where appropriate, legal counsel shall conduct a final review to identify and withhold privileged records.

7. The Custodian or the Custodian's designee shall deny the inspection of the records if such inspection would be contrary to federal or state law or regulation, or would violate a court order. In special circumstances, a Custodian shall deny inspection of the Public Records if such inspection would cause substantial injury to the public interest. Such a denial shall be made in writing by the Custodian to the person making the request and shall set forth with specificity the grounds of the denial. It is not necessary to state a ground for denial of access for each document if a specific ground is applicable to a group of documents.

8. If the Public Records requested are not in the custody or control of the Custodian, the Custodian shall notify the requestor of this fact in writing. In such notification, the Custodian shall state in detail to the best of his/her knowledge and belief the reason for the absence of the Public Records, the location of the Public Records, and what person then has custody or control of the Public Records.

9. All Public Records, regardless of storage format, will be administered in accordance with approved retention schedules. The District reserves the right to adopt the records retention policy that has been promulgated by the Custodian.

E. Fees for All Record Requests.

1. Fees for Standard Reproductions. The Custodian or the Custodian's designee shall charge a fee not to exceed twenty-five cents (\$.25) per page for any photocopies or printed copies of electronic records that are required to make a Public Record available. Other reproductions of Public Records shall be provided at a cost not to exceed the actual cost of the reproduction. Such fees shall be paid by the applicant prior to the receipt of copies of any Public Records. Requests expected to exceed a total charge of ten dollars (\$10.00) or more must be accompanied by a deposit equal to the reasonably-estimated reproduction costs. This deposit will be credited toward the total fee, and the total fee shall be paid prior to release of the requested records. In the event the deposit amount exceeds the actual costs, the balance will be refunded.

2. Transmission Fees. No fees related to transmission shall be charged for transmitting public records via electronic mail. Within the period specified in § 24-72-203, C.R.S., the Custodian shall notify the record requester that a copy of the record is available, but will only be sent to the requester once the custodian receives payment for postage if the copy is transmitted by United States mail, or payment for the cost of delivery if the copy is transmitted other than by United States mail, and payment for any other supplies used in the mailing, delivery, or transmission of the record and for all other costs associated with producing the record. Upon receiving such payment, the custodian shall send the record to the requester as soon as practicable but no more than three business days after receipt of such payment.

3. Fees for Search, Retrieval and Legal Review:

a. In the case of any request requiring more than one (1) hour of time for search, retrieval, supervision of inspection, copying, manipulation, redaction or legal counsel review to identify and withhold privileged records, the Custodian or the Custodian's designee may charge an hourly fee not to exceed the maximum amount allowed under § 24-72-205(6)(a), C.R.S., which can be found at <https://leg.colorado.gov/node/1669596/>. Prior to performing any services necessary to respond to a request, the Custodian or the Custodian's designee shall require the applicant to pay a deposit equal to the reasonably estimated fees that will be charged by the Custodian for such staff time. Before receiving any records, the applicant shall also pay the amount by which the cost of any open records services exceeds the deposit. The District shall promptly refund the amount by which the deposit exceeds the cost of any open records services.

b. To the extent possible, the Custodian shall utilize administrative or clerical staff for search and retrieval of Public Records who are ordinarily responsible for such duties to ensure that the fees charged for staff time in connection with the request represent costs

incurred in the ordinary course of business and not extraordinary charges, but in any case, such charges shall be consistent with § 24-72-205(6), C.R.S.

[Remainder of Page Intentionally Left Blank. Signature page follows]

ADOPTED DECEMBER 9, 2024.

DISTRICT:

NORTH WELD COUNTY WATER DISTRICT, a
quasi-municipal corporation and political
subdivision of the State of Colorado

By: _____
Officer of the District

ATTEST:

By: _____

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law

General Counsel to the District

Signature Page to Public Records Request Policy

EXHIBIT A
OFFICIAL REQUEST FORM

NORTH WELD COUNTY WATER DISTRICT

Request for Inspection/Copy of Public Records

For Internal Use Only

Date of Request: _____

Time of Request: _____ AM/PM

Applicant Name: _____

Applicant Address: _____

City/State: _____ Zip: _____

Daytime Phone #:() _____ Alt./Cell: () _____

Email: _____

Detailed description of the records requested: (Please use additional sheets if necessary)

Select a preferred format for the materials: Hard Copies ____ Electronic ____ View Hard Copy Only ____

I request the records described and agree to pay all charges incurred in processing this request at or before the time the records are made available. If over \$10, I understand I must provide a deposit to pay for the cost incurred to obtain the records. I understand that the Estimated Charges are estimates only, and that the actual cost may vary. This request will be considered received when this form is complete and received by the Custodian and any required deposit is paid.

Signature: _____ Date: _____

Submit Request Form To:
North Weld County Water District
P.O. Box 56
Lucerne, CO 80646

If the records are available pursuant to §§ 24-72-201, *et seq.*, C.R.S., the records shall be made available for viewing within three (3) working days. The date of receipt is not included in calculating the response date. If extenuating circumstances exist so that the Custodian cannot reasonably gather the records within the three (3)-day period, the Custodian may extend the period by up to seven (7) working days. The requestor shall be notified of the extension within the three (3)-day period. Public records shall be viewed at the District's offices during regular business days at prearranged times.

For Internal Use Only

Estimated Charges

Number of Pages _____ at \$.025/page _____ Research & Retrieval _____ Hours at \$41.37/hr
Postage/Delivery Costs: \$ _____ See § 24-72-205(6), C.R.S. for hourly fee
Research & Retrieval Total: \$ _____
Deposit Required: \$ _____ Total Estimated Costs: \$ _____

Note: Non-standard and special requests will be billed at cost and charged in addition to any other fees.

Administrative Matters

Date Request Completed: _____ Amount Prepaid: \$ _____
Approved: _____ Denied: _____ Balance Due Before Release: \$ _____
Total Amount Paid: \$ _____

If Denied, Provide Reason(s)

North Weld County Water District 2025 Budget Memo
To: Board of Directors North Weld County Water District
From: Eric Reckentine
December 2024

Revenue

Total district water usage for North weld County Water District (District) is projected to increase 1 % annually for the next 5 years from projected 2024 water usage.

- Commercial water usage is projected as flat to the commercial sector surcharge policy calculation for five-year average volumes minus 10 percent usage for the next 5 years.
- Wholesale Water Accounts are projected at an approximate .25% water usage increase annually for the next 5 years from 2024 usages and
- The three towns associated with the Group treatment plant usage volumes are projected as flat perpetually starting in 2028.
- District residential water usage is projected at an approximate 1.0% annual water usage increase for the next 5 years from 2024 usages.

The District utilizes accrual accounting financial accounting method. Silver peak CPA provides accounting consulting services to the District, and Plant Moran provides state required third party annual auditing service to the District.

Total meter sale revenue is budgeted to increase from approximately \$21.7 million in the 2024 budget to \$23.1 million in the 2025 budget. The 2024 forecast projects approximately \$25.9 million in metered revenues. Water allocation and plant investment surcharges are budgeted at \$7.1 million annually for the next 2 years and decreasing to 6 million by year 5 of the forecast. The district is projected to see approximately \$4 million in total contributions which is flat to 2024 budget with budgeted sales of 150 meters, \$1.5 million in interest and miscellaneous revenues with a total revenue projection of \$28.8 million.

- The rate increase projections for all customer classes are at 5% for 2025 and 5% to 6% for the next five years.
 - District Customer Rate will increase \$0.24 k/gal from \$4.75 k/gal to \$4.99 k/gal
 - Wholesale Rate will increase \$0.18 k/gal from \$3.56 k/gal to \$3.74 k/gal
- Towns out of compliance with storage requirements are projected at residential rates for 2025.
- Water allocation surcharges are projected at \$6.50/1000 gallons.
- Plant investment surcharges are projected at \$4.50/1000 gallons.
- Plant Investment sales are projected at 150 meters sold for 2025 and annually for the following 5 years.
- Cash in Lieu sales are projected at 10 units for the following five years at \$73,500.
- Plant Investment Fee is currently projected at \$21,900 per PI not counting distance fee.
- Revenue from Wholesale Amended Water Service Agreements not Projected

Expenses

Operations Maintenance and Administration 2025 budget is projected at approximately \$10.8 million which is approximately \$0.1 million increase from 2024 budget.

- Labor costs are projected to increase approximately 6%, that includes a proposed 5% employee cost of living increase and insurance increases.
- The District anticipates acquiring two replacement fleet vehicles in 2025.
- 2nd Repaving Project for Home Office Budgeted at \$200,000
- The Solider Canyon Filter Plant treatment costs rate increase of 1.2 % for 2025, SCWTA final budget memo is attached.

Capital improvement project costs for 2025 are projected at approximately \$31.3 million compared to 2024 budget of \$29.6. million. Forecast for 2024 capital improvement projects is projected at \$25.1 million to date. The anticipated capital improvement ten-year forecast is approximately \$210 million that includes approximately \$60 million in water rights acquisition and \$6 million in raw water storage acquisition.

The District is forecasted to complete the following capital improvement projects in 2024:

- North Weld East Larimer County (NEWT) III transmission line permitting, and construction projected cost of \$13.5 million for 2024.
- Soldier Canyon Filter Plant Rating Expansion from 60 to 68 MGD cost of \$60,000
- Eaton Pipeline Phase 2 final segment of two mile 30-inch distribution construction projected construction costs of \$2.5 million.
- Tank Rehabilitation Program for Tank 4 and Tank 5 at \$1 million
- Weld County Zone 1 from Tank 1 to CR 78, 16-inch distribution pipeline upsizing project design and partial acquisition
- Weld County Zone 1 West Transmission from NEWT III to Tank 1 Site Line design and partial acquisition
- Tank 1C design
- Line 1 Interconnect Project was terminated based on system modeling results
- The raw water district drought supply acquisition project projected at approximately \$5.3 million.
- Greeley/ NW Harmony Interconnect 24- inch Pipeline
- Timnath 36-inch Line Lowering projected cost \$.5 million with ½ to be paid by Timnath.
- Line replacement project Woods Lake
- Repaving Project for Home Office Budgeted at \$200,000
- Acquired two replacement fleet vehicles and Dump Truck

The following capital improvement projects proposed for 2025:

- Weld County Zone 1 West Transmission Line Design and Acquisition to Tank 1 project cost of \$20 million with \$10 million in 2025 and includes Tank 1 to CR 78, 16-inch distribution pipeline upsizing project
- Tank 1C Construction project cost \$11.5 million
- Line replacement projects – Highway 85 and County RD 84 at \$1 million
- Greeley and North Weld Interconnect projected cost of \$1.0 million for pump station acquisition and construction
- Eaton Pipeline Phase III Design and Acquisition with construction start 2026
- Weld County Zone 1 East Transmission Line Design and Acquisition to Pump Station 6

- NEWT III seeding and final punch list items \$.5 million

Capital Improvement Raw Water Projects for 2025

- Raw water district drought supply acquisition project projected at \$6 million.
- Water Supply and Storage Company Structures projected cost of \$200,000
- Reservoir Pumping Costs of \$200,000.
- Legal and Engineering cost of approximately \$200,000 Change Case and Oppositions
- Develop WSSC recharge pond \$200,000

Master Planning

- Finalize Draft Regional Master Plan **Complete 2025**
- Cost of Service Study Update **Complete in 2023**
- Soldier Canyon Filter Plant Master Plan to be managed by SCWTA projected at \$250,000 projected to be Completed in 2024.

Total expenditures for 2025 are projected at \$46.6 million dollars. Funds available at end of 2025 are projected at \$25.2 million dollars of which \$7.5 million dollars is depreciation reserve fund with an additional \$10 million minimum in operational reserve fund.

Financial Summary 2018 to 2023

From 2018 to 2023, the District has received in approximate figures \$95 million dollars in operational revenue, has received \$64.5 million in contributions, has obtained debt proceeds in total of \$51 million dollars with approximately 4 million in miscellaneous incomes, and has maintained approximately \$10 million dollars in operational and replacement reserve funds for a total revenue of \$219 million dollars (*\$168 million dollars without debt proceeds*),

From 2018 to 2023, the District has acquired approximately 1,380 acre-feet of new water supplies at a cost of approximately \$55 million dollars, averaging \$40,000 per acre-foot and averaging approximately \$9 million annually in water acquisitions investment, constructed approximately \$49 million dollars of system improvements, averaging about \$8 million dollars annually to serve growth and maintain reliable service for a total capital improvement expenditure of \$104 million dollars, has spent \$49 million dollars in operations and maintenance (O&M), or about \$8 million per year, has paid \$20 million in debt service, for total expenditures of approximately \$175 million. Specific projects include:

- Solider Canyon Treatment Plant Expansion from 45 to 60 MGD.
- Line 1 replacement project and 48-inch upsizing.
- Pump Station 1 upgrade.
- Old Eaton Pipeline, 16-inch line replacement and 20-inch upsizing.
- Emergency Backup Power Summit View.
- Eaton Pipeline Project 2 miles Phase 1.
- Constructed approximately 1.5 of 2 miles Eaton Pipeline Phase II
- NEWT III Transmission Line- Timberline Crossing and Permitting, Pipe and Property Acquisition
- Rehabilitation Project for Tanks 1A, 5B and 7
- Pump Station Rebuild Summit View.
- Pump Station Upgrade Station 4.

- Pump Station Upgrade Station 6.
- Mason Street Interconnect City of Greeley 60-inch to NEWT III.
- Horse tooth Operation Project Hansen Pump Back Station.
- 2nd Master Meters to Severance.
- 2nd Master Meter to Windsor.
- Master Meter City of Greeley
- Town of Nunn Pump Station Upsize and Replacement.
- Wild wing Irrigation Raw Water Line.
- Purchase Contract for Knox Pit Reservoir Project - Overland Ponds
- Acquisition of River Bluffs Reservoir Storage Project.
- Acquisition of Overland Ponds – Cells 4 and 5.
- Development of two Return Flow Structures for Native Rights.
- Larimer #2 Headgate Construction Project Overland Ponds
- Emergency Generator Backup Power, Nunn PS, PS-1 and Summit View
- 3- year CDPHE Sanitary Survey.
- American Water Infrastructure Act Survey and Emergency Response System Upgrades.
- Mill Levy Ballot Initiative.
- Emergency Power SCADA.
- Lead and Copper Rules Revision - System Inventory

From 2018 through 2024 The District has completed projects that have increased system capacity and water supply surety:

- *Treatment capacity at SCWTP has increased from 45 MGD to 68 MGD, increasing District treatment capacity from 16.3 MGD to 26.5 MGD or 10 MGD.*
- *NEWT III pipeline project has increased system transmission capacity from 18 MGD to 28 MGD or 10 MGD increase gravity flow.*
- *Line 1 - 48-inch replacement project allows safe pressurization of line 1 transmission line increasing system capacity approximately 2 – 3 MGD*
- *Constructed 4 miles of 30-inch water line providing additional capacity to eastern pressure zones*
- *Increased emergency interconnect capacity from approximately 8 MGD to 28 MGD that can be obtained from two treatment plants and transmission systems and constructed emergency bypass capabilities for Horse tooth Reservoir supplies*
- *The District has acquired approximately 1380-acre feet of new water supply, initiated caps on unconstrained usages, and adjudicated and perfected native water rights that have reduced impacts on supply related to drought or curtailment*
- *Acquired or have purchase agreement on approximately 1200- acre feet of additional raw water storage to firm native water supply*

Policies

The District over the course of 6 years has developed or modified approximately 20 policies, and updated manuals and protocols related to updated design criteria, maintenance program, safety,

employment manuals and polices, development review procedures, drought triggers, finance and reserve fund policies, regulatory compliance manual and policies related to back flow and cross connection devices, board of director manual and plant investment and water dedication policies.

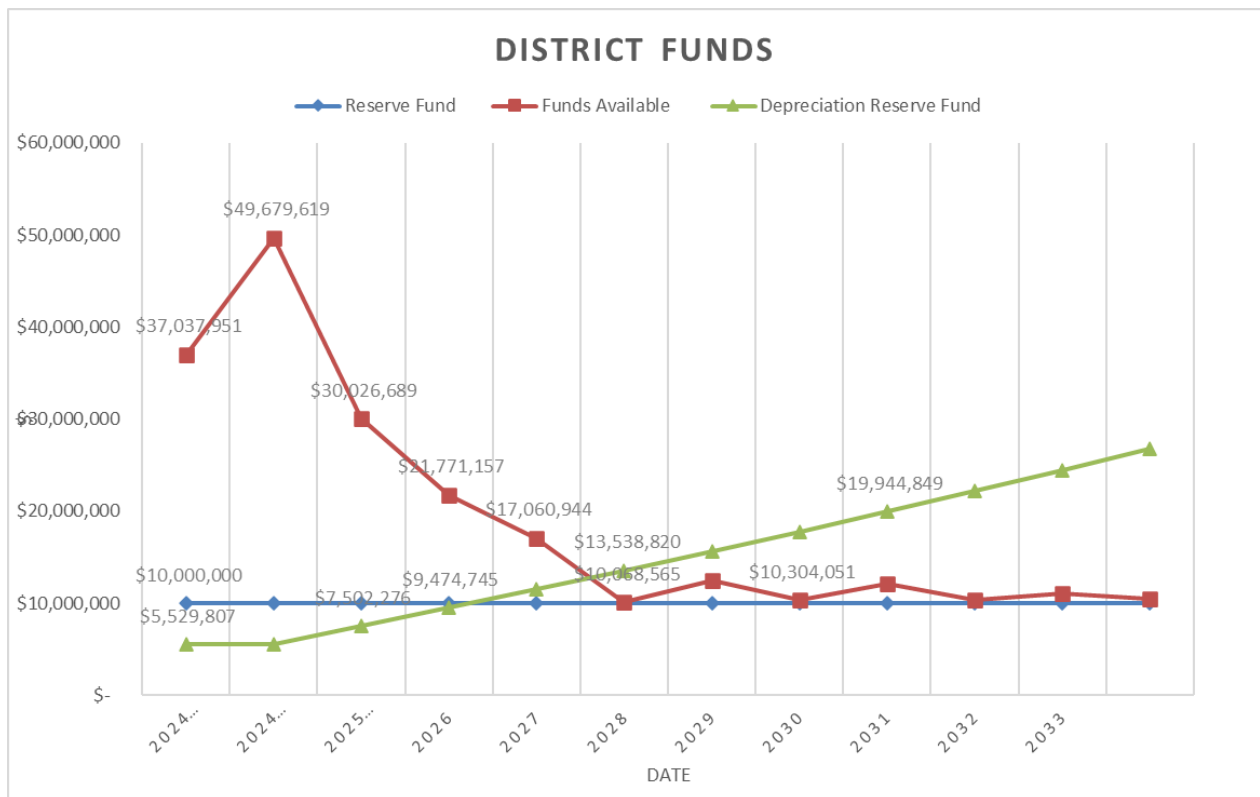
The following are considered by District Management to be key policy changes that have had significant impact on maintaining district solvency:

- Finance Policies for Reserve and Depreciation Funds.
- Elimination of the Conservation Blue Tap Program.
- Raw Water Dedication Policy Change from 100% Cash in Lieu to 100% Raw Water Dedication.
- Drought Trigger Policies and Surcharges.
- Elimination of High-Volume Reduced Rate
- Flow Control Program for Commercial Customers.
- Mortarium Policies Temporarily Limiting New Growth.
- Elimination of the Water Allocation and Plant Investment Reinvestment Program.
- Residential Meter Over Usage Policy and Surcharge
- Commercial Meter Max Annual Overuse Surcharge Policy

Board Direction:

1. The rate increase projections for all customer classes are 5%
 - District Customer Rate will increase \$0.24 k/gal from \$4.75 k/gal to \$4.99 k/gal
 - Wholesale Rate will increase \$0.18 k/gal from \$3.56 k/gal to \$3.74 k/gal
2. Water allocation surcharges \$6.50/1000 gallons.
3. Plant investment surcharges \$4.50/1000 gallons.
4. Cash in Lieu sales at \$73,500.
5. Plant Investment Fee - \$21,900 per PI not counting distance fee.
6. Distance Fee, Meter Install Fee and WTA Fee to \$500, \$2200 and \$100 respectively

	2024 Budget	2024 Forecast	2025 Budget	Forecast					
				2026	2027	2028	2029	2030	
Revenues									
Total Operating Revenue	\$ 21,737,294	\$ 25,966,209	\$ 23,072,876	\$ 24,140,336	\$ 24,678,748	\$ 25,392,789	\$ 26,680,360	\$ 28,053,005	
Debt Proceeds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Total Non-Operating Revenue	\$ 1,537,637	\$ 2,726,747	\$ 1,538,390	\$ 1,539,157	\$ 1,539,941	\$ 1,540,739	\$ 1,541,554	\$ 1,542,385	
Total Contributions	\$ 4,195,784	\$ 6,072,051	\$ 4,209,500	\$ 4,223,490	\$ 4,237,759	\$ 4,252,315	\$ 4,657,161	\$ 6,672,304	
Total Revenues	\$ 27,470,715	\$ 34,765,008	\$ 28,898,673	\$ 29,982,449	\$ 30,537,503	\$ 31,268,520	\$ 32,963,405	\$ 36,353,712	
Expenditures									
Administrative	\$ 2,058,589	\$ 2,160,736	\$ 2,051,907	\$ 2,098,567	\$ 2,846,328	\$ 2,195,219	\$ 2,245,266	\$ 2,296,499	
Operational	\$ 8,628,628	\$ 8,513,741	\$ 8,745,739	\$ 8,200,571	\$ 8,366,980	\$ 8,740,242	\$ 8,489,679	\$ 8,453,707	
Debt Service	\$ 4,420,825	\$ 3,731,712	\$ 3,946,650	\$ 3,946,650	\$ 3,946,650	\$ 3,946,650	\$ 3,946,650	\$ 3,946,650	
Water Enterprise Fund 2020 Bond	\$ 474,175	\$ 474,838	\$ 474,838	\$ 470,275	\$ 475,600	\$ 475,588	\$ 470,350	\$ -	
Capital Improvements	\$ 29,685,000	\$ 24,566,190	\$ 31,360,000	\$ 21,510,000	\$ 17,560,000	\$ 20,810,000	\$ 13,260,000	\$ 21,660,000	
Total Expenditures	\$ 44,793,042	\$ 39,445,667	\$ 46,579,134	\$ 36,226,063	\$ 33,195,559	\$ 36,167,699	\$ 28,411,946	\$ 36,356,856	
Earnings	\$ (17,245,947)	\$ (4,680,659)	\$ (17,680,461)	\$ (6,243,614)	\$ (2,658,056)	\$ (4,899,179)	\$ 4,551,459	\$ (3,145)	
Funds Available (carry over prior to depreciation)	\$ 39,010,420	\$ 51,652,088	\$ 31,999,158	\$ 23,783,075	\$ 19,113,101	\$ 12,161,765	\$ 14,620,025	\$ 12,481,816	
Depreciation	\$ 1,972,469	\$ 1,972,469	\$ 1,972,469	\$ 2,011,918	\$ 2,052,157	\$ 2,093,200	\$ 2,135,064	\$ 2,177,765	
Funds Available	\$ 37,037,951	\$ 49,679,619	\$ 30,026,689	\$ 21,771,157	\$ 17,060,944	\$ 10,068,565	\$ 12,484,961	\$ 10,304,051	
Reserve Fund	\$ 10,000,000	\$ 10,000,000	\$ 10,000,000	\$ 10,000,000	\$ 10,000,000	\$ 10,000,000	\$ 10,000,000	\$ 10,000,000	
Fund Available minus Reserve fund	\$ 27,037,951	\$ 39,679,619	\$ 20,026,689	\$ 11,771,157	\$ 7,060,944	\$ 68,565	\$ 2,484,961	\$ 304,051	
Depreciation Reserve Fund	\$ 5,529,807	\$ 5,529,807	\$ 7,502,276	\$ 9,474,745	\$ 11,486,664	\$ 13,538,820	\$ 15,632,020	\$ 17,767,084	



BREAKDOWN		2025 Budget	2026	2027	2028	2029	2030
Revenue		\$ 28,898,673	\$ 29,982,449	\$ 30,537,503	\$ 31,268,520	\$ 32,963,405	\$ 36,353,712
3100	Operating	\$ 23,072,876	\$ 24,140,336	\$ 24,678,748	\$ 25,392,789	\$ 26,680,360	\$ 28,053,005
3200	Non-Operating	\$ 1,500,862	\$ 1,500,879	\$ 1,500,897	\$ 1,500,914	\$ 1,500,933	\$ 1,500,951
3300	New Service	\$ 4,209,500	\$ 4,223,490	\$ 4,237,759	\$ 4,252,315	\$ 4,657,161	\$ 6,672,304
3400	Ag-Water Income (Non-Op)	\$ 18,943	\$ 19,321	\$ 19,708	\$ 20,102	\$ 20,504	\$ 20,914
3500	Miscellaneous (Non-Op)	\$ 18,585	\$ 18,957	\$ 19,336	\$ 19,723	\$ 20,117	\$ 20,520
3700	Debt Proceeds						
	2009 Bond Revenue (included in operating	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operational Expense		\$ 8,745,739	\$ 8,200,571	\$ 8,366,980	\$ 8,740,242	\$ 8,489,679	\$ 8,453,707
4100	Water	\$ 4,225,297	\$ 3,828,738	\$ 3,916,970	\$ 4,210,227	\$ 3,877,791	\$ 3,758,032
4200	Personnel Operations	\$ 2,061,175	\$ 2,112,542	\$ 2,165,193	\$ 2,219,160	\$ 2,274,477	\$ 2,331,176
4400	Operation & Maintenance	\$ 2,042,982	\$ 1,834,682	\$ 1,851,715	\$ 1,869,090	\$ 1,886,812	\$ 1,904,888
4500	Engineering	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
4600	Electricity	\$ 188,416	\$ 192,185	\$ 196,028	\$ 199,949	\$ 203,948	\$ 208,027
4700	Communications	\$ 52,020	\$ 53,060	\$ 54,122	\$ 55,204	\$ 56,308	\$ 57,434
4800	Insurance	\$ 175,848	\$ 179,365	\$ 182,952	\$ 186,611	\$ 190,344	\$ 194,150
4900	Miscellaneous	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Administrative		\$ 2,051,907	\$ 2,098,567	\$ 2,846,328	\$ 2,195,219	\$ 2,245,266	\$ 2,296,499
5100	Personnel - Administrative	\$ 562,161	\$ 579,026	\$ 596,396	\$ 614,288	\$ 632,717	\$ 651,698
5200	Payroll Taxes	\$ 141,780	\$ 144,616	\$ 147,508	\$ 150,458	\$ 153,467	\$ 156,537
5300	Health Insurance	\$ 62,424	\$ 63,672	\$ 64,946	\$ 66,245	\$ 67,570	\$ 68,921
5400	Office Utilities	\$ 214,352	\$ 218,639	\$ 223,012	\$ 227,473	\$ 232,022	\$ 236,662
5500	Office Expenses	\$ 233,182	\$ 237,845	\$ 242,602	\$ 247,454	\$ 252,403	\$ 257,451
5600	Professional Fees	\$ 838,008	\$ 854,768	\$ 871,864	\$ 889,301	\$ 907,087	\$ 925,229
5900	Miscellaneous	\$ -	\$ -	\$ 700,000	\$ -	\$ -	\$ -
Capital Improvements		\$ 31,360,000	\$ 21,510,000	\$ 17,560,000	\$ 20,810,000	\$ 13,260,000	\$ 21,660,000
6200	Storage Tanks	\$12,250,000.00	\$ -	\$ 1,000,000.00	\$ 4,800,000.00	\$ -	\$11,000,000.00
6300	Pump Stations	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
6400	Equipment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
6500	System	\$ 12,550,000	\$ 15,000,000	\$ 10,500,000	\$ 9,950,000	\$ 7,200,000	\$ 4,700,000
6600	Water Rights/Storage	\$ 6,380,000	\$ 6,330,000	\$ 6,380,000	\$ 5,880,000	\$ 5,880,000	\$ 5,780,000
6700	Land / Easements	\$ 180,000	\$ 180,000	\$ 180,000	\$ 180,000	\$ 180,000	\$ 180,000
6900	Office Equipment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Bond Issue		\$ 4,421,488	\$ 4,416,925	\$ 4,422,250	\$ 4,422,238	\$ 4,417,000	\$ 3,946,650
7200	Interest / Principle	\$ 3,946,650	\$ 3,946,650	\$ 3,946,650	\$ 3,946,650	\$ 3,946,650	\$ 3,946,650
7400	Interest Expense Other						
7800	Depreciation						
7900	Amortization						
	Water Enterprise Fund	\$ 474,838	\$ 470,275	\$ 475,600	\$ 475,588	\$ 470,350	\$ -
	Total Expense	\$ 46,579,134	\$ 36,226,063	\$ 33,195,559	\$ 36,167,699	\$ 28,411,946	\$ 36,356,856

SOLDIER CANYON WATER TREATMENT AUTHORITY

To: Soldier Canyon Water Treatment Authority Board of Directors

From: Mark Kempton, P.E., CWP - SCWTA Manager

Date: September 4th, 2024

RE: **FINAL** - 2025 Budget for the Soldier Canyon Water Treatment Authority

The intent of this memo is to present the final Operational & Maintenance (O&M) and Renewal & Replacement (R&R) budgets for the Soldier Canyon Water Treatment Authority (SCWTA) for the fiscal year 2025. In addition to treatment plant expenses, the SCWTA budget includes funding for the Authority/Tri-District's Water Resources personnel. The fiscal year for the SCWTA budget is January 1 through December 31.

Table 1 – Historic and projected water usage (MG)

<u>District</u>	<u>2021</u> <u>Actual</u>	<u>2022</u> <u>Actual</u>	<u>2023</u> <u>Actual</u>	<u>2024</u> <u>Projected*</u>	<u>2025</u> <u>Projected**</u>	<u>Assumed 2025</u> <u>increase/(decrease)</u> <u>over 2024</u>
East Larimer County	1,449	1,539	1,302	1,638	1,539	(6%)
Fort Collins Loveland	3,167	3,335	2,605	3,610	4,482	24%
North Weld County	3,683	3,508	3,217	3,531	3,566	1%
Tri-Districts Totals	8,299	8,382	7,124	8,779	9,587	9.2%

*From 2024 Budget.

** MG estimates provided by each District in August 2024.

The following documents are included to provide details for the 2025 Budget.

- A. **2025 Budget** – The budget summarizes the proposed revenues, expenditures, and reserve account fund projections. It also summarizes the funding responsibility for each District.
- B. **Operations & Maintenance (O&M) Summary** – The attached worksheet lists the major categories in the O&M Budget. The O&M summary is divided into six major categories.
 - a. Personnel Services
 - b. Professional Services
 - c. Utilities
 - d. Contractual Services
 - e. Commodities
 - f. Repair and Maintenance

- C. **O&M Expense Detail Worksheet** – The attached worksheet provides additional detail about planned O&M Expenses for 2025.
- D. **Renewal & Replacement Fund Summary** – This worksheet lists the upcoming R&R Fund projects planned for 2025.

General Review of 2023 and 2024 to date.

Treated Water Production

The annual plant production and peak daily production for 2023 was 7.1 billion gallons, and 46.55 MGD respectively. To date for 2024, the peak daily plant production was 54.98 million gallons, recorded on July 12, 2024.

Water Quality

Treated water produced at the Soldier Canyon Filter Plant continues to be rated as very high-quality water. All Environmental Protection Agency, (EPA) and Colorado Department of Public Health and Environment, (CDPHE) Safe Drinking Water regulations were met. In most cases, water quality far exceeded regulatory requirements.

Water Quality / Regulatory / Watershed

SCWTA continues to support monitoring of the Poudre River watershed in conjunction with regional partners.

Completed or In Progress R&R Projects

- Complete
 - Filters 5-8 Rehabilitation and Backup Generator.
 - Filter Wall crack repairs
 - Parking lot repairs and sealing/stripping.
 - Office and Control Room upgrades.
 - New Business side and SCADA side computer servers and cybersecurity upgrades.
 - PLC 9 (Filter 5-8) Upgrade.
 - New PLC for the PVP Intake.
 - Decant Pond 2 caulking.
 - PVP Sed Basin New liner.
 - New North Sed Basin drain/fill valve.
 - Drying Bed concrete ramps.
 - Clearwell Tanks concrete entrance pads
 - Filter 1-4 Gallery wall repair.
 - Connexion fiber broadband to the Plant.
- In Progress:
 - PLC 11 Upgrade.
 - PLC 54 Upgrade.
 - SCADA iFix upgrade.
 - WIMS Database Software upgrade.
 - New Soda Ash Backup Pump.
 - New Backwash Stairs.

- Recoat Backwash Tanks 1 and 2.
- Chlorine Dioxide system upgrades.
- Chlorinator upgrades.
- Abandoned Interconnect Building Demo.
- New FCLWD meter/replace NCWCD meter and build new combined vault.
- New POE plumbing at CCT.
- Repair South Sed Basin Influent Gate.
- Yard and HT valve repairs/replacements.
- Condition Assessment of old HT 42” line and HT 36” line into the Plant.
- Replace South Plant Motor Control Center.

2025 Proposed Budget

Operations & Maintenance Budget

The proposed O&M budget for 2025 is \$6,580,435. This is an increase of 2.4% from the 2024 O&M budget.

Details of expense categories, proposed 2025 costs, and 2025 over 2024 budget % changes are listed below.

1. Personnel Services (\$3,609,057) – 7.8% increase.
An assumed wage increase of 3.5% is included in the 2025 budget. Increases are primarily due to health Insurance (16%) and personnel costs (overtime budget correction).
2. Professional Services (\$66,965) – 8.8 % decrease.
Decreases in legal and engineering services.
3. Utilities (\$171,184) – 1.9 % increase.
Increase due to higher electricity and natural gas costs.
4. Contractual Services (\$578,423) – 1.0% increase.
5. Commodities (\$1,412,034) – 6.8% decrease.
Decreased cost of water treatment chemicals.
6. Facilities Repair and Maintenance (\$742,142) – 1% decrease.
Decreased due to project selection. Proposed projects for 2025 include:
 - Replace Infrared/Gas Heaters in Sed Basin
 - SCADA PLC 7 - Pump Station
 - SCADA Network Monitoring
 - Drainage - Grade and Seed Between Tanks 1-4
 - Paint Pipes - Annual Program
 - Replace Backwash Pump 2
 - Filter Piping - 1 thru 4 - Rehab and Paint
 - Replace Surface Wash Pumps 1&2
 - Replace the Surface Water Mag Meter

- New forklift

Renewal and Replacement (R&R) Fund Budget

The proposed R&R Fund budget for 2025 is \$2,000,000. This is an increase of 3.6% from the 2024 R&R budget. Increases are due to project selection. Proposed 2025 R&R projects are listed below:

1. Backup Power Supply System - \$250,000.
New mobile generator for use as a backup power supply during future weather-related long-term power outages from Xcel Energy.
2. Recoat Clearwell Tank 4 - \$1,750,000.

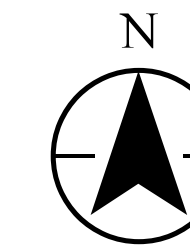
Table 2 – Summary of proposed 2025 District costs

	<u>East Larimer County</u>	<u>Fort Collins Loveland</u>	<u>North Weld County</u>
Fixed O&M	\$1,183,509	\$1,987,871	\$2,004,693
Variable O&M	\$225,442	\$656,551	\$522,369
Renewal and Replacement	\$457,300	\$768,100	\$774,600
Total	\$1,866,251	\$3,412,521	\$3,301,662
Increase/(Decrease) from 2024 Budget	0.95%	4.9%	1.2%

10 Year CIP: 2030 - 2034 Per Budgeted/ Forecasted Revenue

Client/Project
Client: North Weld County Water District
Project: Potable Water System Master Plan Update
Report: CIP for Budget Map

Project Location
32825 CR 39
PO Box 56 Lucerne, CO 80646
Prepared by SSM on 2024-10-07



0 0.8 1.5 3 Miles
(At original document size of 11x17)
1:102,551

Legend

- Pump Station
- Storage Tank
- Master meters
- Pressure Reducing Valves
- Water Line
- Diameter, inches
 - 0 - 3
 - 4
 - 5 - 6
 - 7 - 8
 - 9 - 12
 - 13 - 16
 - 17 - 24
 - 25 - 36
 - 37 - 48
- Pressure Zones
 - 1
 - 1A
 - 2
 - 2A
 - 3
 - 4
 - 4A
 - 5A
 - 5East
 - 5G
 - 5West
 - 6
 - 7
 - 7A
 - 7B
 - 8
 - HR
 - WD
- CIP - Completed in 2024**
 - Eaton Pipeline Phase 2
 - NEWT3
 - Greeley Harmony Interconnect 10mgd
 - SCWTP Upgrade to 68mgd
- 5 Year CIP**
 - Zone 1 East from Tank 1 to PS 6
 - Zone 1 West - 42" to Tank 1 and to CR 78
 - Eaton Pipeline Phase 3 to Highway 85
 - Future Tanks (T1C & T4B)
- 10 Year CIP**
 - Eaton Pipeline Phase 3 to CR41
 - Future PRV
 - Tank 1D
 - SCWTP Upgrade to 78mgd
 - SCWTP Pump Station

- Notes**
1. Coordinate System: NAD 1983 StatePlane Colorado North FIPS 0501 Feet
 2. Data Sources:
 3. Background:



RESOLUTION
ADOPTING BUDGET, APPROPRIATING SUMS OF MONEY AND CERTIFYING
MILL LEVIES FOR THE CALENDAR YEAR 2025

The Board of Directors of North Weld County Water District (the “**Board**”), Weld and Larimer Counties, Colorado (the “**District**”), held a regular meeting, via teleconference and at 32825 County Road 39, Lucerne, Colorado on December 9, 2024, at the hour of 8:30 a.m.

Prior to the meeting, each of the directors was notified of the date, time, and place of the budget meeting and the purpose for which it was called, and a notice of the meeting was posted or published in accordance with § 29-1-106, C.R.S.

[Remainder of Page Intentionally Left Blank]

NOTICE AS TO PROPOSED 2025 BUDGET

WHEREAS, the Board has appointed its accountant to prepare and submit a proposed budget to the Board in accordance with Colorado law; and

WHEREAS, the proposed budget has been submitted to the Board for its review and consideration; and

WHEREAS, upon due and proper notice, provided in accordance with Colorado law, said proposed budget was available for inspection by the public at a designated place, a public hearing was held and interested electors of the District were provided a public comment period and given the opportunity to file any objections to the proposed budget prior to the final adoption of the budget by the Board.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

Section 1. Adoption of Budget. The budget attached hereto and incorporated herein is approved and adopted as the budget of the District for fiscal year 2025. In the event of recertification of values by the County Assessor's Office after the date of adoption hereof, staff is hereby directed to modify and/or adjust the budget and certification to reflect the recertification without the need for additional Board authorization. Any such modification to the budget or certification as contemplated by this Section 1 shall be deemed ratified by the Board.

Section 2. Levy of Property Taxes. The Board does hereby certify the levy of property taxes for collection in 2025 as more specifically set out in the budget attached hereto.

Section 3. Mill Levy Adjustment. When developing the attached budget, consideration was given to any changes in the method of calculating assessed valuation, including any changes to the assessment ratios, or any constitutionally mandated tax credit, cut, or abatement, as authorized in the District's service plan. The Board hereby determines in good faith (such determination to be binding and final), that to the extent possible, the adjustments to the mill levies made to account for changes in Colorado law described in the prior sentence, and the actual tax revenues generated by the mill levies, are neither diminished nor enhanced as a result of those changes.

Section 4. Certification to County Commissioners. The Board directs its legal counsel, manager, accountant, or other designee to certify to the Board of County Commissioners of Weld and Larimer Counties, Colorado the mill levies for the District as set forth herein. Such certification shall be in compliance with the requirements of Colorado law.

Section 5. Appropriations. The amounts set forth as expenditures in the budget attached hereto are hereby appropriated from the revenue of each fund for the purposes stated.

Section 6. Filing of Budget and Budget Message. The Board hereby directs its legal counsel, manager, or other designee to file a certified copy of the adopted budget resolution, the budget and budget message with the Division of Local Government by January 30 of the ensuing year.

Section 7. Budget Certification. The budget shall be certified by a member of the District, or a person appointed by the District, and made a part of the public records of the District.

[Remainder of Page Intentionally Left Blank]

ADOPTED DECEMBER 9, 2024.

DISTRICT:

NORTH WELD COUNTY WATER DISTRICT, a quasi-municipal corporation and political subdivision of the State of Colorado

By: _____
Officer of the District

ATTEST:

By: _____

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law

General Counsel to the District

STATE OF COLORADO
COUNTY OF WELD
NORTH WELD COUNTY WATER DISTRICT

I hereby certify that the foregoing resolution constitutes a true and correct copy of the record of proceedings of the Board adopted by a majority of the Board at a District meeting held via teleconference on Monday, December 9, 2024, as recorded in the official record of the proceedings of the District.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 9th day of December, 2024.

Signature

EXHIBIT A
BUDGET DOCUMENT
BUDGET MESSAGE

SCHEDULE OF FEES AND CHARGES

Adopted and Approved
December 9, 2024
Effective January 1, 2025

RAW WATER FEE \$ 73,500.00

PLANT INVESTMENT FEE \$ 21,900.00

The Plant Investment Fee is a one-time contribution per single-family equivalent unit (the “EQR”) required of new Property Owners (or existing Property Owners requesting a change of use) to be used for capital investment in regional facilities and capital investment in transmission facilities. Regional and transmission facilities shall include, but are not limited to, transmission and distribution water pipelines and appurtenances, water treatment facility, water storage tanks, transmission, mechanical and electrical components, and instrumentation and control components constructed, installed, acquired, or planned by the District for its public water system.

Fees for the following tap sizes will be calculated at the stated equivalent unit values multiplied by the Plant Investment Fee amount stated above:

¾” Size	1 EQR
1” Size	2 EQR
1½” Size	16 EQR
2” Size	20 EQR
Larger than 2” Size	As Determined by District

DISTANCE FEE AKA MILEAGE CHARGE \$500.00 per mile with minimum charge of \$1,500.00

The Distance Fee is calculated along County roads starting at the main tank site which is located at Highway 257 and Highway 14. This is for the line extension.

METER INSTALLATION FEE WITHOUT EXISTING CURB STOP Current Cost to District

METER INSTALLATION FEE WITH EXISTING CURB STOP \$ 2,400.00

SUBDIVISION SPECIFIC FEES

Soaring Eagle Ranch Line Extension Fee	\$ 750.00
Saddler PUD Non-Potable Tap Fee	\$ 5,000.00
Wildwing Non-Potable Tap Fee	\$ 3,000.00

The Raw Water Fees, Plant Investment Fees, Distance Fees, Meter Installation Fees Without Existing Curb Stop, Meter Installation Fee with Existing Curb Stop and Subdivision Specific Fees shall all be due and owing prior to the issuance of any building permit or the installation of a water meter, whichever occurs first.

MONTHLY POTABLE WATER SERVICE CHARGES

Base Rate (0 - 6,000 gals.)	\$ 29.94 flat rate
6,001 + gallons	\$ 4.99 per 1,000 gals.

MONTHLY NON-POTABLE WATER SERVICE CHARGES

1,000 + gallons	\$ 1.50 per 1,000 gals.
-----------------	-------------------------

<u>ALLOCATION SURCHARGE</u>	\$ 6.50 per 1,000 gals.
-----------------------------	-------------------------

Allocation surcharge is assessed when an account's year to date usage exceeds the water allocation amount, which equals the water class (as shown on the monthly bill) x 70% of one acre foot.

<u>Residential Meter Overuse Surcharge</u>	\$ 22.00 per 1,000 gals.
--	--------------------------

Any customer with a residential water tap that exceeds their water usage allotment amount by three (3) acre-feet shall be required to pay an enhanced surcharge. In general, a residential water tap is classified as a water tap with an allocation under four (4) acre-feet of water.

<u>COMMERCIAL METER OVERUSE Surcharge</u>	\$ 22.00 per 1,000 gals.
---	--------------------------

A Commercial Meter that exceeds the Calculated Maximum Annual Volume calculated as the five (5) year average of the Commercial Customer's maximum annual usage, minus ten percent (10%), shall be required to pay an enhanced surcharge. A Commercial meter is classified as a water tap with an allocation of or more than four (4) acre-feet of water

NOTE: Allocation Surcharge fees cannot be used to purchase additional water allocations.

<u>PLANT INVESTMENT SURCHARGE</u>	\$ 4.50 per 1,000 gals.
-----------------------------------	-------------------------

Plant Investment Surcharge is assessed when an account's year to date usage exceeds the plant investment allocation, which equals the plant investment class (as shown on the monthly bill) x 70% of one acre foot.

NOTE: Plant Investment Surcharge fees cannot be used to purchase additional Plant Investments.

The Monthly Potable Water Service Charges, Monthly Non-Potable Water Service Charges, Allocation Surcharge and Plant Investment Surcharge are due and owing by the fifteenth (15th) day of the month following the month in which billed.

COMMITMENT LETTER FEE

\$ 100 Per Tap

For all Lots which an “intent to provide service” is denoted in a commitment letter to provide water services. Payment of the Commitment Letter Fee is due and owing at the time of application for water services.

WATER SERVICE APPLICATION REVIEW FEE

\$40.00 Per Lot

For multiple Lots in the same water service application, the maximum fee is \$800.00. Payment of the Water Service Application Review Fee is due and owing at the time of application for water services.

DEVELOPMENT REVIEW COST REIMBURSEMENT

Pursuant to Resolution No.

20201214-04 Adopting a Development Review Cost Reimbursement Policy, as may be amended from time to time.

REVIEW AND INSPECTION FEES

Current Cost to District

For subcontractor costs, inspection, flushing, and testing of waterlines, backflow prevention devices, and appurtenances. Payment of the Review and Inspection Fees is due and owing prior to commencement of construction.

SUPPLEMENTAL FEE

Cost to District for acquisition of easements. Payment of the Supplemental Fee is due and owing at time of Water Service Agreement Reimbursement for costs, fees and expenses for acquisition of easements.

SHUT OFF FEES

\$	10.00 First Occurrence
\$	25.00 Second Occurrence
\$	50.00 Third and Subsequent Occurrences

Shut Off Fees are due upon cancellation and shall be paid, in full, prior to Turn On of water services.

MISCELLANEOUS FEES:

CONSTRUCTION WATER FEE

\$ 22.00 per 1,000 gals.

All construction water must be metered using a District provided meter and backflow assembly.

WHOLESALE ACCOUNT PEAK HOUR OVERUSE SURCHARGE

\$ 1.06 per 1,000gals

BPCCC TESTING PENALTY

\$ 100.00/occurrence

Failure to comply with this deadline will result in a \$100.00 penalty, and the District will schedule a tester to perform the annual test and certification at your cost.

CONSTRUCTION METER FEES

Meter Rental Deposit

\$ 1,100.00 (refundable)

Weekly Fee

\$ 25.00 per week

FILL STATION FEE

Fill Station Rental Deposit \$ 1,100.00 (refundable)

The Meter Rental Deposit and Fill Station Deposit are due and owing at time of rental and may be refundable.

The Construction Water Fee and Weekly Fee are due and owing within 30 days of the issuance of the bill.

TRANSFER PAYMENT \$ 25.00/occurrence

The Transfer Payment is due and owing upon transfer of account from one responsible party and/or account holder to another.

PENALTY FEES / FINES:

INSTALLATION OF ANY NON-METERED DEVICE \$ 2,000.00/occurrence

UNAUTHORIZED TAMPERING WITH DISTRICT SYSTEMS OR METERS \$2,000.00/incident

Plus actual cost of damage, expense and loss.

Installation of any device (i.e., “jumper”) to allow for circumvention of the District’s monitoring or delivery systems shall constitute unauthorized tampering and the use of the District water system shall be subject to a penalty fee.

UNAUTHORIZED CONNECTION FEE \$ 500.00/day until corrected

Plus actual cost of damage, expense, and loss, legal fees, and any other costs incurred in the filing of criminal charges.

REPAIR OF BROKEN OR DAMAGED WATER METERS, METER PITS AND CURB STOP BOXES

100%¹ Plus any management and attorneys’ fees and costs incurred for collections.

All Penalty Fees and/or Fines are due and owing within 30 days of receipt of the notice of fee or fine. Such Penalty Fees and/or Fines shall, until paid, constitute a lien upon the subject property, pursuant to Section 32-1-1001, C.R.S.

PAYMENTS: Payment for each fee shall be made payable to North Weld County Water District and sent to the following address for receipt by the due date, as identified herein:

North Weld County Water District
P.O. Box 56
Lucerne, Colorado 80646

¹ A) If a Property Owner damages or breaks their water meter, the Property Owner shall pay 100% of the associated costs for the repair and/or replacement of the water meters, meter pits and curb stop boxes.

B) The District will notify the Property Owner of the broken or damaged water meters, meter pits and curb stop boxes and the costs of repair and/or replacement. A copy of the invoice for the work will be included with the notice. The Property Owner will reimburse the costs to the District within thirty (30) days of receipt of the notice.

C) If reimbursement is not received by the District within thirty (30) days of the notice, interest fees may be added.

**RESOLUTION OF BOARD OF DIRECTORS
CALLING ELECTION**

NORTH WELD COUNTY WATER DISTRICT

§§ 32-1-804, 1-1-111(2), 1-13.5-1101, and 1-13.5-513(1), C.R.S.

At a meeting of the Board of Directors (the “**Board**”) of the North Weld County Water District (the “**District**”), it was moved to adopt the following Resolution:

WHEREAS, the District was organized as a special district pursuant to §§ 32-1-101, *et seq.*, C.R.S. (the “**Special District Act**”); and

WHEREAS, the District is located within Weld County and Larimer County, Colorado (collectively the “**County**”); and

WHEREAS, pursuant to § 32-1-804, C.R.S., the Board governs the conduct of regular and special elections for the District; and

WHEREAS, the Board anticipates holding a regular election on May 5, 2025, for the purpose of electing directors and desires to take all actions necessary and proper for the conduct thereof (the “**Election**”); and

WHEREAS, the Election shall be conducted pursuant to the Special District Act, the Colorado Local Government Election Code and the Uniform Election Code of 1992, to the extent not in conflict with the Colorado Local Government Election Code, including any amendments thereto; and

WHEREAS, pursuant to § 1-1-111(2), C.R.S., the Board is authorized to designate an election official (the “**Designated Election Official**”) to exercise authority of the Board in conducting the Election; and

WHEREAS, pursuant to § 1-13.5-513(1), C.R.S., the Board can authorize the Designated Election Official to cancel the Election upon certain conditions.

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

1. The Board hereby calls the Election for the purpose of electing directors. The Election shall be conducted as an independent mail ballot election in accordance with §§ 1-13.5-1101, *et seq.*, C.R.S.
2. The Board names Ashley B. Frisbie as the Designated Election Official for the Election. The Designated Election Official shall act as the primary contact with the County and shall be primarily responsible for ensuring the proper conduct of the Election.
3. Without limiting the foregoing, the following specific determinations also are made:

- a. The Board hereby directs general counsel to the District to approve the final form of the ballot to be submitted to the eligible electors of the District and authorizes the Designated Election Official to certify those questions and take any required action therewith.
- b. The Board hereby determines that: in addition to publication, notice of the call for nominations will be provided by inclusion in a newsletter, annual report or other mailing to the eligible electors of the District, and posting on the District's website.
- c. The Board hereby authorizes and directs general counsel to the District to oversee the general conduct of the Election and authorizes and directs the Designated Election Official to take all action necessary for the proper conduct thereof and to exercise the authority of the Board in conducting the Election, including, but not limited to, causing the call for nominations; appointment, training and setting compensation of election judges and a board of canvassers, as necessary; all required notices of election,; printing of ballots; supervision of the counting of ballots and certification of election results; and all other appropriate actions.

4. The District shall be responsible for the payment of any and all costs associated with the conduct of the Election, including its cancellation, if permitted.

5. The Board hereby ratifies any and all actions taken to date by general counsel and the Designated Election Official in connection with the Election.

6. The Board hereby authorizes and directs the Designated Election Official to cancel the Election and to declare the candidates elected if, at the close of business on the sixty-third day before the Election, or at any time thereafter, there are not more candidates for director than offices to be filled, including candidates filing affidavits of intent to be write-in candidates, and so long as the only ballot questions are for the election of candidates. The Board further authorizes and directs the Designated Election Official to publish and post notice of the cancellation as necessary and file such notice and cancellation resolutions with the County Clerk and Recorder and with the Division of Local Government, as required. The Designated Election Official shall also notify the candidates that the Election was canceled and that they were elected by acclamation.

7. This Resolution shall remain in full force and effect until repealed or superseded by subsequent official action of the Board.

[Remainder of Page Intentionally Left Blank]

ADOPTED DECEMBER 9, 2024.

DISTRICT:

**NORTH WELD COUNTY WATER
DISTRICT**, a quasi-municipal corporation and
political subdivision of the State of Colorado

By: _____
Officer of the District

Attest:

By: _____

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law

General Counsel to the District

WINDSOR LV, LLC
WINDSOR LV II, LLC
117 Arbolado Loop
Liberty Hill, TX 78642
702-591-9584
hollercre@hotmail.com

Mr. Eric Reckentine,
District Manager
North Weld County Water District
P.O. Box 56
32825 CR 39
Lucerne, CO 80646

November 15, 2024

Re: Severance South Development Plat Signature Variance Request

Dear Mr. Reckentine,

We request to be placed on the December 9, 2024, Board agenda for the North Weld County Water District Board meeting to be considered for a Variance concerning the Severance South Plat.

This request for Severance South is for a variance to the development review policy and design criteria requirements related to the approvals of our landscape plan, non-potable plan, offsite infrastructure easement requirements and design of offsite infrastructure. The variance would defer water dedication until WinDance Plats, Phase I are submitted to the board. All remaining requirements will be completed with each phase of WinDance. It's expected the Water Service Agreement for WinDance will include a phasing plan and define the water dedication requirement for each phase.

We request NWCWD provide the necessary signature on the Severance South Plat and allow all variance items to be completed as part of the WinDance Subdivisions, as the Severance South Plat requires no new water service.

The Severance South Plat was created to define the primary infrastructure for the 600 acres. The Severance South plat creates several Tracts and outlots to define where single family, multifamily, and commercial projects will be developed and where open spaces will be created. No building permits can be issued, and no water will be requested for the Tracts or outlots. Each of the Tracts will require a Preliminary and Final Subdivision plat to be processed to build any occupied structures. The Developers will submit future Subdivision Plats under the name of **WinDance** along with application for the required Water Service Agreement for each future submittal.

Our project is a 600-acre master planned community with numerous single family, multifamily, and commercial areas including a community center, sports fields, as well as a planned elementary school.

Each of these subdivisions and areas will be created and named in future WinDance applications. These will be the plats that will request, from NWCWD, approval and water service for our project.

Our Severance South plat has all the required signatures except for NWCWD.

The Town of Severance will not advance our WinDance Plats through the approval process without all required signatures on our Severance South Plat.

As previously stated in our letter to the district dated November 13, 2023, this request for plat signature will not constitute, grant, or guarantee our project water service, now or in the future, from North Weld County Water District.

Severance South is completing the outstanding requirements that have been delaying the signature process. While these items may take a few more weeks to complete, or possibly a few months, our variance is requesting that the district place these final items as conditions for approval of the WinDance plats as they proceed through the approval process.

Thank you for your immediate response to this request.



Jack Holler
Manager Severance South