



AGENDA
Logan County Board of Commissioners
Logan County Courthouse, 315 Main Street, Sterling, Colorado
Tuesday, June 1, 2021 - 9:30 a.m.

Call to Order
Pledge of Allegiance
Revisions to Agenda
Consent Agenda

Approval of the Minutes of the May 18, 2021 meeting.

Acknowledgment of the receipt of the Veteran's Service Officer's monthly report and certification of pay form.

Unfinished Business
New Business

Consideration of the approval of Resolution 2021-21 on behalf of AGPROfessionals on behalf of Brightwater Cattle Company, LLC, to amend Special Use Permit #168 seeking expansion from 15,000 head to 30,000 head for continued operation of an existing cattle feedlot operation lying in the North Half (N2) of Section 35, Township 9 North, Range 48 West of the Sixth Principal Meridian, Logan County, Colorado, and expanding into the West Half of the Northwest Quarter (W2NW4) of Section 36, Township 9 North, Range 48 West of the Sixth Principal Meridian, Logan County, Colorado.

Consideration of the approval of an agreement between Logan County and Craig Herboldsheimer and issuance of Right of Way Permit #2021-8 for use of the County Right of Way under County Road 78 for two bores for a livestock water line.

Consideration of the approval of an agreement between Logan County and Willard Telephone Co-op and issuance of Right of Way Permit #2021-9 for use of the County Right of Way along Logan County Road 16 for a fiber optic drop.

Consideration of the approval of an agreement between Logan County and Sterling Energy Investments and issuance of Right of Way Permit #2021-10 for use of the County Right of Way under County Road 38 for a replacement pipe.

Consideration of the approval of Resolution 2021-22 cancelling certain tax sale certificates issued in error as a result of erroneous severed mineral assessments.

Other Business
Miscellaneous Business/Announcements

The next meeting will be scheduled for Tuesday, June 15, 2021, at 9:30 a.m. at the Logan County Courthouse.

Executive Session as Needed
Adjournment

May 18, 2021

The Logan County Board of Commissioners met in regular session with the following members present constituting a quorum of the members thereof:

Byron Pelton
Jane Bauder
Joseph A. McBride

Chairman
Commissioner
Commissioner

Also present:

Alan Samber
Pamela M. Bacon
Marilee Johnson

Logan County Attorney
Logan County Clerk
Tourist Information Center Director/County Public
Information Officer
Emergency Management
Logan County Planning and Zoning
Logan County Finance
Logan County Human Services
Lodging Tax Board

Jerry Casebolt
Rob Quint
Debbie Unrein
Dave Long
Dave Conley
Monte Rogers
Tom Bedford
Dave Lieber
Michelle McCauley
Spencer Green
Jeff Rice

NJC Young Farmers
New Pathways

Journal Advocate

Chairman Pelton called the meeting to order at 9:45 a.m. The meeting opened with the Pledge of Allegiance. Chairman Pelton asked if there were any revisions for the agenda. Commissioner Bauder moved to add Parr Sound and Lighting contract for the Logan County Fair to the agenda. Commissioner McBride seconded and the motion carried 3-0.

The Board continued with the Consent Agenda items:

- Approval of the Minutes of the May 4, 2021 meeting.
- Acknowledge the receipt of the Sheriff's Fee Report for the month of April, 2021.
- Acknowledge the receipt of the Treasurer's Report for the month of April, 2021.
- Acknowledge the receipt of the Clerk and Recorder's Report for the month of April, 2021.
- Acknowledge the receipt of the Landfill Supervisor's Report for the month of April, 2021.

Commissioner Bauder moved to approve the Consent Agenda. Commissioner McBride seconded and the motion carried 3-0.

Chairmen Pelton continued with New Business:

The Board opened a public hearing to consider the approval of an application submitted by the NJC Young Farmers for a Special Events Liquor License for an event to be held at the Logan County Fairgrounds on June 19, 2021. Chairman Pelton hearing no additional comments, closed the public hearing.

Commissioner McBride moved to approve an application submitted by the NJC Young Farmers for a Special Events Liquor License for an event to be held at the Logan County Fairgrounds on June 19, 2021. Commissioner Bauder seconded and the motion carried 3-0.

The Board signed a proclamation designating the month of May 2021 as Mental Health Awareness Month. Commissioner Pelton read the proclamation.

- Spencer Green, Deputy Director of Operations for Centennial Mental Health, spoke in support of the Mental Health Proclamation.
- Michelle McCauley with New Pathways spoke in support of the proclamation.
- Dave Long, Director of Human Services for Logan County, spoke in support and need for mental health.

Commissioner Bauder moved to approve Mental Health Awareness Month as May 2021. Commissioner McBride seconded and the motion carried 3-0.

Consideration of the approval of the following Logan County Lodging Tax Board Projects:

- Denver Post Summer Getaways Magazine in the amount of \$3,500.00
- High Plains Adventures Travel Guide in the amount of \$1,450.00.
- Sterling Street Map in the amount of \$500.00.
- Summer 2021 @ The Overland Trail Museum in the amount of \$2,200.00.

Commissioner McBride moved to approve the Logan County Lodging Tax Board Project Denver Post Summer Getaways Magazine in the amount of \$3,500.00. Commissioner Bauder seconded and the motion carried 3-0.

Commissioner Bauder moved to approve the Logan County Lodging Tax Board Project High Plains Adventures Travel Guide in the amount of \$1,450.00. Commissioner McBride seconded and the motion carried 3-0.

Commissioner McBride moved to approve the Logan County Lodging Tax Board Project Sterling Street Map in the amount of \$500.00. Commissioner Bauder seconded and the motion carried 3-0.

Commissioner Bauder moved to approve Summer 2021 @ The Overland Trail Museum in the amount of \$2,200.00. Commissioner McBride seconded and the motion carried 3-0.

Commissioner McBride moved to approve Resolution 2021-20 on behalf of Georgia L. Rogers for a Subdivision Exemption to create a 10.08-acre parcel from an 80-acre parcel in an Agricultural (A) zone district in the East Half of the Northeast Quarter of Section 12, Township 11, North, Range 49 West of the 6th Principal Meridian, in Logan County, Colorado. Commissioner Bauder seconded and the motion carried 3-0.

Commissioner McBride moved to approve the terms and conditions for receipt of funding allocated to Logan County under the American Rescue Plan for Coronavirus Fiscal Recovery and authorize Debbie Unrein to sign as an authorized representative for Logan County. Commissioner Bauder seconded and the motion carried 3-0.

Commissioner Bauder moved to approve Parr Sound and Lighting contract for the night show at the Logan County Fair 2021, 2022 and 2023 in the amount of \$45,000.00 and authorize the Chairman to sign. Commissioner McBride seconded and the motion carried 3-0.

Other Business

The next meeting will be scheduled for Tuesday, June 1, 2021, at 9:30 a.m. at the Logan County Courthouse.

There being no further business to come before the Board, the meeting adjourned at 10:20 a.m.

Submitted by:



Logan County Clerk & Recorder

Approved: June 1, 2021

BOARD OF COUNTY COMMISSIONERS
LOGAN COUNTY, COLORADO

(seal)

By: _____
Byron Pelton, Chairman

Attest:

Logan County Clerk & Recorder



Colorado Department of Military and Veterans Affairs
County Veterans Service Officers Monthly Report and Certification of Pay

County of Logan Month of May 2021

Telephone Calls	from vets 56 to vets 54 concerning vets 22 profession 10	Total calls: 142
Appointments	office 28 home 21	Total appts: 49
Outreach	- 0 -	- 0 -
Total Served		Total Served: 191

Surveys Submitted	- 11 -
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WIG #1 Governor's Challenge initiative adopted: (# of times shared)

☒ Lethal Means Safety Video ☒ Gate Keeper Training ☒ Caring Contacts

WIG #2 How many trainings (virtual or in person) have you participated in this month? - 4 -

Certification by County Veterans Service Officer

I hereby certify that the above monthly report is true and accurate to the best of my knowledge and belief. I have been employed as a county veteran service officer at a rate of:

☒ 35 hours per week or fewer

☐ 36 hours per week or more

For the month of May, 2021 from Logan county.

[Signature]
Signature of County Veterans Service Officer

05/27/2021
Date

Certification by County Commissioner or Designee

In accordance with CRS 28-5-707, I hereby certify the accuracy of the Report CVA-26 revised 2-15-2019:

County Commissioner or Designee of

County

Date

This certification, submitted monthly, properly signed and executed is considered as application for the monetary benefits to the County General Fund in accordance with 28-5-804 (2002) Colorado Revised State Statute.

Submit this form no later than the **15th** day the following month to:

Colorado Division of Veterans Affairs West

482 28 Road

Grand Junction, CO 81501

Jessica.quackenbush@state.co.us

RESOLUTION

NO. 2021-21

SPECIAL USE PERMIT AMENDMENT

A RESOLUTION GRANTING THE AMENDMENT OF SPECIAL USE PERMIT #168 ISSUED TO BRIGHTWATER CATTLE COMPANY, LLC FOR THE OPERATION OF A 30,000 HEAD CATTLE FEEDLOT IN LOGAN COUNTY, COLORADO.

WHEREAS, AGPROfessionals on behalf of Brightwater Cattle Company, LLC, has applied to amend Special Use Permit #168 seeking expansion from 15,000 head to 30,000 head for continued operation of an existing cattle feedlot operation lying in the North Half (N2) of Section 35, Township 9 North, Range 48 West of the Sixth Principal Meridian, Logan County, Colorado, and expanding into the West Half of the Northwest Quarter (W2NW4) of Section 36, Township 9 North, Range 48 West of the Sixth Principal Meridian, Logan County, Colorado; and

WHEREAS, the applicant submitted a Site Plan in support of the application, detailing the proposed feedlot expansion; and

WHEREAS, the Logan County Planning Commission, after reviewing all materials, taking testimony of the applicant and surrounding property owners, and finding no issues that would limit or deny this application, recommended approval of the application for the requested amendment of Special Use Permit #168 at its May 18, 2021 meeting; and

WHEREAS, Brightwater Cattle Company, LLC is a registered CAFO in good standing with the Colorado Department of Public Health and Environment (CDPHE); and

WHEREAS, on June 1, 2021, a public hearing of the Logan County Board of County Commissioners was held to consider the issuance of the amended Special Use Permit #168 for Brightwater Cattle Company, LLC, to operate a 30,000 head maximum confined animal feeding operation in an Agricultural Zone District, on the above described property.

NOW, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LOGAN COUNTY, COLORADO:

I. APPROVAL:

The application of Brightwater Cattle Company, LLC, to amend Special Use Permit #168 with expansion to facilitate a 30,000 head cattle feedlot, with related equipment and structures, as defined by CDPHE regulations, located in the North Half (N2) of Section 35, Township 9 North, Range 48 West of the Sixth Principal Meridian, Logan County, Colorado, and expanding into the West Half of the Northwest Quarter (W2NW4) of Section 36, Township 9 North, Range 48 West of the Sixth Principal Meridian, Logan County, Colorado; as described in the Engineering Report and Site Plan submitted by the Applicant, is hereby approved, subject to the following conditions:

1. The permit term shall be for ninety-nine (99) years on the identified and approved Special Use Permit #168. The use permitted must remain in ongoing compliance with the Logan County Zoning Resolution and all Federal, State and local rules and regulations. If any changes, such as alterations or enlargements occur to the Special Use Permit identified and approved herein, the applicant shall be responsible for seeking and obtaining separate approval of a permit and term of approval for those proposed changes.
2. All reasonable and necessary preventative measures must be taken for dust suppression and fly control according to industry standards.
3. The Applicant must obtain CAFO approvals and permits required by the Colorado

Department of Public Health and Environment (CDPHE) consistent with the land use authorized herein.

4. The setback for all animal confinement areas in the expansion area shall be at least 300 feet from lot lines.

II. FINDINGS OF FACT:

1. The continued use on the described site is compatible with the Logan County Master Plan and existing land uses in the area, which is zoned Agricultural District with a pre-existing Special Use Permit for a cattle feedlot operation.

2. This facility is State CDPHE permitted for a capacity 15,000 head, with additional approval and permitting required for the capacity limit of 30,000 head.

BE IT FURTHER RESOLVED, that Special Use Permit #168 is subject to review and application for renewal for continued permitted use on and after June 1, 2120. The Board of County Commissioners of Logan County retains continuing jurisdiction over the permit to address future issues concerning the site and to insure compliance with the conditions of the permit. The applicant is responsible for complying with all of the forgoing conditions and all other county zoning or other land use regulations. Noncompliance with any of the conditions may be cause for revocation of the permit.

Done the 1st day of June, 2021.

BOARD OF COUNTY COMMISSIONERS LOGAN COUNTY, COLORADO

(Aye)(Nay)
Byron H. Pelton, Chairman

(Aye)(Nay)
Joseph A. McBride, Commissioner

(Aye)(Nay)
Jane E. Bauder, Commissioner

I, Pamela M. Bacon, County Clerk and Recorder in and for the County of Logan, State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the County of Logan and State of Colorado, in regular session on this 1st day of June, 2021.

County Clerk and Recorder

SPECIAL USE PERMIT AMENDMENT APPLICATION
AS REQUIRED BY THE LOGAN COUNTY ZONING RESOLUTION
DEPARTMENT OF PLANNING & ZONING

Applicant

Name: AG Professionals c/o Tim Naylor Phone: 970 535 9318
 Address: 3050 67th Avenue, Suite 200 Greeley, Co 80634

Landowner

Name: Diepersloot, Adrian John & Joclyn Trust Phone: 559 908 1935
 Address: PO Box 99 Severence Co 80546

Description of Property

Legal: $\frac{1}{4}$ Section N2 Section 35 Township 9 Range 18
W2NW4 36 9 18
 Address: 18829 CR 95 Haxtun Access off CR or Hwy: CR 95

New Address Needed: Y or (N) Subdivision Name: _____

Filing _____ Lot _____ Block _____ Tract _____ Lot Size _____

Current Zoning: AG Current Land Use: Confined Animal Feeding Operation

Proposed Amended Special Use:

request to expand existing feedlot to allow for 30,000 hd. of cattle

Terms of Amended Special Use:

99 yrs.

Building Plans: See attached

I, (We), hereunto submit this application for an Amended Special Use Permit to the Board of County Commissioners, together with such plans, details and information of the proposed conditional use. I, (We), further understand that the Board of Logan County Commissioners may, in addition to granting an Amended Special Use Permit, impose additional conditions to comply with the purpose and interest of the Logan County Zoning Resolutions and Zoning Map.

Dated at Sterling, Colorado, this _____ day of _____

Signature of Applicant: _____

Signature of Landowner: _____

4/22/2021

841C38BA1947443

Brightwater Cattle Company, LLC
 2021 Amend SUP #168
 to expand to 30,000 head
 N2 35-9-48; W2NW4 36-9-48
 18829 CR 95, Haxtun, CO

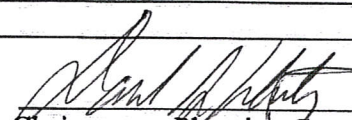
FOR COUNTY USE

Application Fee: One Hundred Dollars (\$100.00) Pd. 4/28/21 Rec. # 1424

Date of Planning Commission: 5/18/21

Recommendation of Planning Commission: ☒ Approval ☐ Denial

Recommended Conditions of the Amended Special Use Permit:


Chairperson, Planning Commission

COUNTY COMMISSIONERS ACTION:

Conditions of the Amended Special Use Permit: _____

Date Granted: _____

Date Denied: _____

Brightwater Cattle Company, LLC
2021 Amend SUP #168
to expand to 30,000 head
N2 35-9-48; W2NW4 36-9-48
18829 CR 95, Haxtun, CO

Byron H. Pelton (Aye) (Nay)

Joseph A. McBride (Aye) (Nay)

Jane E. Bauder (Aye) (Nay)

**Adrian Diepersloot
Brightwater Cattle Company
Logan County Amended Special Use Permit (SUP) Narrative**

Adrian Diepersloot, operating as Brightwater Cattle Company is requesting to amend Logan County Special Use Permit 2011-15 (SUP) currently permitted for a 15,000 head maximum cattle confined animal feeding operation (CAFO) to allow for up to 30,000 head. The facility is located in the agricultural zone district at the intersection of County Road 40 and 95. The amended SUP will include the original parcel, Parcel #38049135100075 and Parcel #38049136200078. The feedlot will continue to be located on Parcel #38049135100075 and silage and hay storage will be located on Parcel #38049136200078 directly east of the feedlot on CR 95.

The facility feeds cattle ranging from 300 pounds to 1,200 pounds. The facility is composed of open lot corrals and cattle are moved around the facility by drover alleys. Fencing will be typical of agricultural facilities and includes pipe fencing for the corrals and barbed wire for property boundaries. In addition to pens, the feedyard consists of wastewater ponds, feed storage, equipment storage, buildings and corrals for livestock husbandry, shops and an office building and associated appurtenances typical of cattle feeding facilities.

The feedyard has two existing wastewater ponds that capture surface water runoff from the existing pens. The ponds have clay liners that have been tested and certified by a Colorado P.E. to be in compliance with the Colorado Department of Public Health and Environment (CDPHE) regulations. The wastewater ponds are constructed and are managed to capture the design storm event. Additional wastewater ponds will be constructed per CAFO requirements, to capture stormwater and wastewater for the additional operations area.

Off-site drainage will be diverted around the facility to prevent contact with the feedyard and production areas.

Manure storage is currently being managed in the open lot pens. The pens are cleaned, and manure is applied to surrounding land application sites annually. Wastewater from the ponds is minimal and typically evaporates. On the rare occasion the facility needs to dewater the ponds, they will land apply to one of their pivots. The feedyard will apply manure and wastewater in accordance with the Nutrient Management Plan and CDPHE regulations.

The feedyard has two commercial wells that are used for the water supply for the buildings and for cattle waterers. Well #17471-F allows for commercial use for up to 95 acre-feet per year and Well #189816 is approved for commercial use for up to 80 acre-feet per year.

The feedyard is surrounded by agricultural zoned land that is predominately irrigated farmland or pasture.

ENGINEERING, PLANNING, CONSULTING & REAL ESTATE

HQ & Mailing: 3050 67th Avenue, Suite 200, Greeley, CO 80634 | 970-535-9318 office | 970-535-9854 fax

Idaho: 195 River Vista Place, #306, Twin Falls, ID 83301 | 208-595-5301

www.agpros.com

Brightwater Cattle Company, LLC
2021 Amend SUP #
to expand to 30,000 head
N2 35-9-48; W2NW4 36-9-48
18829 CR 95, Haxtun, CO

Traffic will be minimal and includes farm equipment, feed delivery trucks, cattle trucks, pick-ups and trailers.

The feedyard will operate Monday-Sunday, twenty-four hours per day. The majority of the operations will take place during normal business hours.

The existing feedyard was previously permitted per SUP #168 and continues to be compatible with Logan County Code. Logan County's culture is one of the most productive agricultural counties in the State, and as such, the feedlot and associated agricultural uses fit in the culture of the County. The feedyard benefits Logan County's vitality, economy, culture, landscape and lifestyle.

Brightwater Cattle Company, LLC
2021 Amend SUP #168
to expand to 30,000 head
N2 35-9-48; W2NW4 36-9-48
18829 CR 95, Haxtun, CO

AGREEMENT TO USE LOGAN COUNTY RIGHT OF WAY
INDIVIDUAL PERMIT

THIS AGREEMENT made this (County fills in) 1st day of June, 2021, by and between the County of Logan, State of Colorado, hereinafter called "County", and Craig Herboldsheimer the undersigned easement holder or landowner, hereinafter called "Applicant".

WHEREAS, Applicant owns the following described premises, or has an easement on, over or through said premises, to-wit (legal description): N 1/2 Section 12 Range 54W TOWNSHIP 25; and

WHEREAS, Applicant desires to install and construct a livestock waterline, which will be located (**Circle One**): along, ~~bore under~~, or trench across CR 78, to benefit the above described premises; and

WHEREAS, the County is willing to allow such installation and construction by Applicant, but only upon the terms and covenants contained herein.

NOW, THEREFORE, in consideration of paying the County the sum of \$100.00 or \$200.00 and keeping of the terms and covenants contained herein, the parties agree as follows:

- ☐ Applicant agrees to furnish the County in writing in advance of installation the exact location and dimensions of said installation and construction.
- ☐ Buried installations must be at no less than 48 inches below the lowest level of any borrow ditch paralleling the County Road and an "Individual permit" must be submitted for each instance.
- ☐ Applicant shall have the right to install and construct water line, described above, in the right of way of CR 78, but such installation and construction shall be done only in the following manner. All work within the county ROW shall be performed only during regular business hours of the Logan County Road & Bridge Department to enable supervision and inspection of the work.
- ☐ All work authorized by this Agreement shall be completed no later than Aug 21, 2021.
- ☐ It is understood that no paved or oil-surfaced road shall be cut and will be crossed by boring only. For other roads and crossings of County property after installation. Applicant shall restore the surface to the same condition as existed prior to such construction.
- ☐ All cost and expense of installation, construction, maintenance, removal, or replacement is to be paid by the Applicant.
- ☐ The traveling public must be protected during this installation with proper warning signs or signals both day and night. Warning signs and signals shall be installed by and at the expense of Applicant.

HERBOLDSHEIMER, Craig
ROW2021-8
2 Bores, C.R. 78, Peetz
12-54-25

☒ Applicant hereby releases the County from any liability for damages caused by said waterline, whether caused by employees or equipment of the County, or others, at any time. Further, Applicant agrees to protect, save and hold harmless, and indemnify the County from and against all liability, loss, damages, personal injuries or expenses suffered by or imposed against the County by reason of the construction, installation or maintenance of the above described improvement.

☒ No perpetual easement or right of way is granted by this instrument and should Applicant's use of said right-of-way interfere with the County's use, or intended use of said right-of-way, Applicant will remove or relocate the same upon demand of the County. Applicant shall pay all costs of such removal or relocation.

☒ This Agreement shall be a covenant running with the above-described real property and shall be binding upon the parties hereto, their heirs, successors, personal representatives, and assigns.

☒ Other Provisions: _____

Owner #1 [Signature] Printed name Craig E. Herboldsheimer
Signature

Owner #2 [Signature] Printed Name Rece Ann Herboldsheimer
Signature

Individual Right-of-Way Permit Applicant:

Craig Herboldsheimer
Printed name

[Signature]
Signature

Address: 11006 CR 78
Peetz CO 80747

Application Fee Paid 200.00 #1436

Date 5/13/21

Signed at Sterling, Colorado the day and year first above written.

THE BOARD OF COUNTY COMMISSIONERS
LOGAN COUNTY, COLORADO

HERBOLDSHEIMER, Craig
ROW2021-8
2 Bores, C.R. 78, Peetz
12-54-25

Byron H. Pelton (Aye) (Nay)

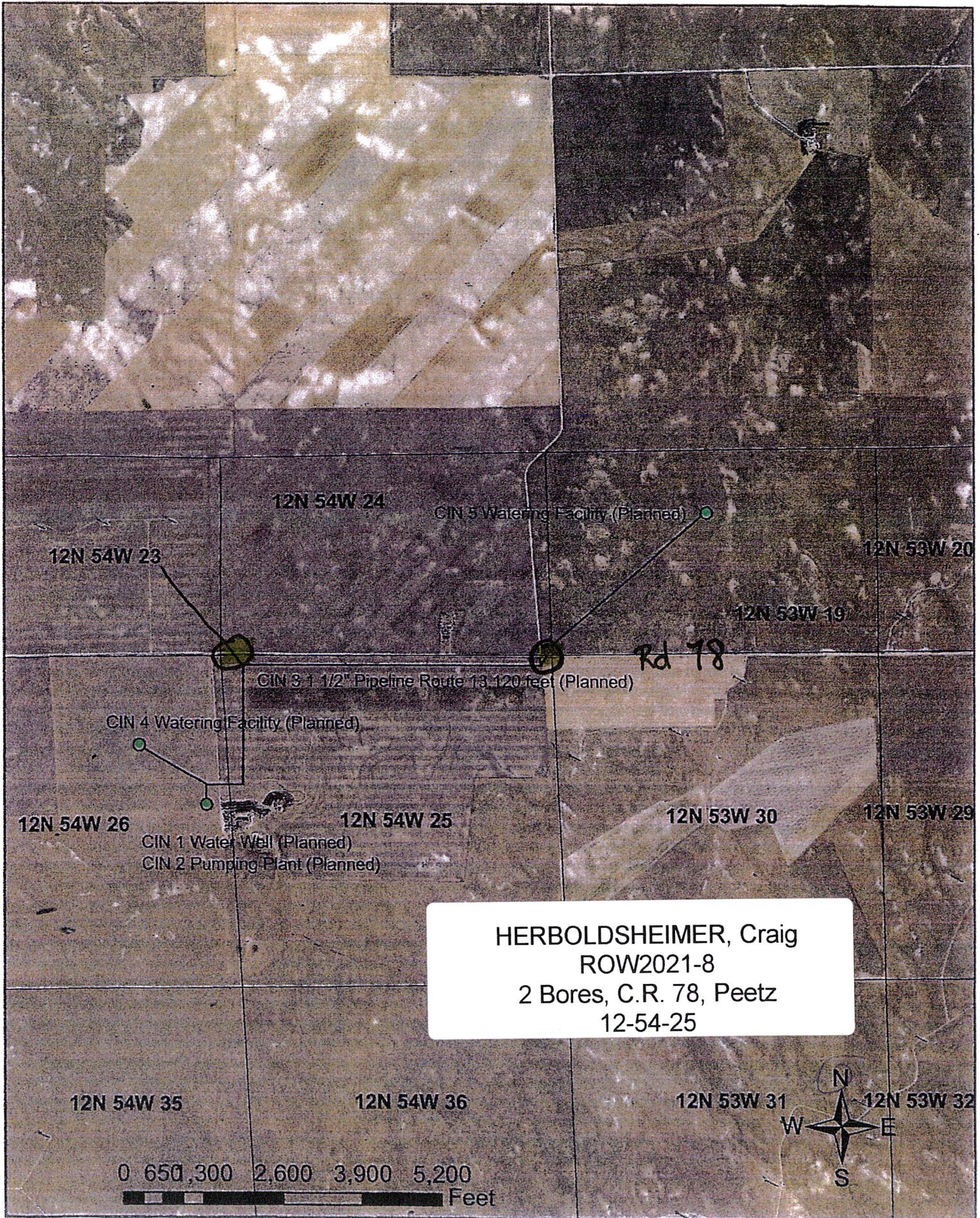
Joseph A. McBride (Aye) (Nay)

Jane E. Bauder (Aye) (Nay)

**CRAIG HERBOLDSHEIMER
STOCKWATER PROJECT**

ASSISTED BY: TRAVIS MCKAY
DATE 8/11/2020

IN: 25,26-12-54 AND 19-12-53



AGREEMENT TO USE LOGAN COUNTY RIGHT OF WAY
INDIVIDUAL PERMIT

THIS AGREEMENT made this (County fills in) 1st day of June, 2021, by and between the County of Logan, State of Colorado, hereinafter called "County", and Willard Telephone Coop. the undersigned easement holder or landowner, hereinafter called "Applicant".

WHEREAS, Applicant owns the following described premises, or has an easement on, over or through said premises, to-wit (legal description): A description of the proposed work is as follows. Starting at the intersection of CR 18 and CR 19 continue east 2850ft to

starting point at existing bore on the north side of LCR 18. Then plowing 2218 ft west in north ditch of CR 18 to new home at 9147 CR 18.; and

WHEREAS, Applicant desires to install and construct a Fiber Optic Drop, which will be located **(Circle One):** along, bore under, or trench across LCR 16, to benefit the above described premises; and

WHEREAS, the County is willing to allow such installation and construction by Applicant, but only upon the terms and covenants contained herein.

NOW, THEREFORE, in consideration of paying the County the sum of **\$100.00** or **\$200.00** and keeping of the terms and covenants contained herein, the parties agree as follows:

- ☒ Applicant agrees to furnish the County in writing in advance of installation the exact location and dimensions of said installation and construction.
- ☒ Buried installations must be at no less than 48 inches below the lowest level of any borrow ditch paralleling the County Road and an "Individual permit" must be submitted for each instance.
- ☒ Applicant shall have the right to install and construct Fiber Optic Service, described above, in the right of way of LCR 16, but such installation and construction shall be done only in the following manner. All work within the county ROW shall be performed only during regular business hours of the Logan County Road & Bridge Department to enable supervision and inspection of the work.
- ☒ All work authorized by this Agreement shall be completed no later than 7/30/21.
- ☒ It is understood that no paved or oil-surfaced road shall be cut and will be crossed by boring only. For other roads and crossings of County property after installation. Applicant shall restore the surface to the same condition as existed prior to such construction.
- ☐ All cost and expense of installation, construction, maintenance, removal, or replacement is to be paid by the Applicant.
- ☒ The traveling public must be protected during this installation with proper warning signs or signals both day and night. Warning signs and signals shall be installed by and at the expense of Applicant.

WILLARD TELEPHONE COOP. ASSOC.
ROW2021-9
Trench along C.R. 16
6680 CR16, Merino

☒ Applicant hereby releases the County from any liability for damages caused by said Fiber Optics, whether caused by employees or equipment of the County, or others, at any time. Further, Applicant agrees to protect, save and hold harmless, and indemnify the County from and against all liability, loss, damages, personal injuries or expenses suffered by or imposed against the County by reason of the construction, installation or maintenance of the above described improvement.

☒ No perpetual easement or right of way is granted by this instrument and should Applicant's use of said right-of-way interfere with the County's use, or intended use of said right-of-way, Applicant will remove or relocate the same upon demand of the County. Applicant shall pay all costs of such removal or relocation.

☒ This Agreement shall be a covenant running with the above-described real property and shall be binding upon the parties hereto, their heirs, successors, personal representatives, and assigns.

☐ Other Provisions: _____

Note: Applicants in the process of acquiring a Conditional Use Permit or a Special Use Permit - If easements containing signatures have been obtained and are in hand for the appropriate permit, then the landowner signatures required below can be waived.

Owner #1 Timothy Pruitt Printed name Timothy Pruitt

Signature

Owner #2

Printed Name _____

Signature

Individual Right-of-Way Permit Applicant:

Aimee Dollarshell Willard Telephone _____

Printed name

Aimee Dollarshell

Signature

Address: 41499 HWY 71

Stoneham CO 80754

Application Fee Paid 250.00

Date 5-13-21 #1439

Signed at Sterling, Colorado the day and year first above written.

**THE BOARD OF COUNTY COMMISSIONERS
LOGAN COUNTY, COLORADO**

WILLARD TELEPHONE COOP. ASSOC.

ROW2021-9

Trench along C.R. 16

6680 CR16, Merino

Byron H. Pelton (Aye) (Nay)

Joseph A. McBride (Aye) (Nay)

Jane E. Bauder (Aye) (Nay)

May 12, 2021

Logan County Commissioners,

Willard Telephone requests permission install fiber to the new home at 6680 CR 16 Merino Colorado.

A description of the proposed work is as follows: A description of the proposed work is as follows: Starting 3426 FT South of the Intersection of CR 17 from existing vault on the South side of the road plowing South on the east side of CR 16 3341 ft to new home.

Please see attached map for a detailed view of the proposed construction.

All cable will be placed a minimum of 48 inches below the lowest portion of the road or barrow pit. Traffic will be controlled in concordance with the Uniform Traffic Control Manual. Traffic warning signs will be placed a minimum of 100 feet from each direction of the proposed digging area. All utilities will be located prior to any work being done. Located will be requested from UNCC as required by law. Disturbed areas will be restored.

All pertinent documents have been enclosed. Should you have any questions or need additional information please call (970) 580-1992.

Thank You,

Aimee Dollerschell
General Manager
Willard Telephone

Enclosures

WILLARD TELEPHONE COOP. ASSOC.
ROW2021-9
Trench along C.R. 16
6680 CR16, Merino

6680 CR RD 16

Legend
6680 Co Rd 16

New
Fiber

Existing
Vault

6680 Co Rd 16

3341A

3426A

WILLARD TELEPHONE COOP. ASSOC.
ROW2021-9
Trench along C.R. 16
6680 CR16, Merino

Google Earth

© 2021 Google

2000 ft



AGREEMENT TO USE LOGAN COUNTY RIGHT OF WAY
INDIVIDUAL PERMIT

THIS AGREEMENT made this (County fills in) 1st day of June, 2021, by and between the County of Logan, State of Colorado, hereinafter called "County", and Sterling Energy Investments the undersigned easement holder or landowner, hereinafter called "Applicant"

WHEREAS, Applicant owns the following described premises, or has an easement on, over or through said premises, to-wit (legal description): SE corner of CR 38 & CR 11 40.7019849-

103.4792393 to NW corner 40.7022034-103.4796492; and

WHEREAS, Applicant desires to install and construct a replacement pipe, which will be located (Circle One): along, bore under, or trench across C.R. 38, to benefit the above described premises; and

WHEREAS, the County is willing to allow such installation and construction by Applicant, but only upon the terms and covenants contained herein.

NOW, THEREFORE, in consideration of paying the County the sum of \$100.00 or \$200.00 and keeping of the terms and covenants contained herein, the parties agree as follows:

- ☐ Applicant agrees to furnish the County in writing in advance of installation the exact location and dimensions of said installation and construction.
- ☐ Buried installations must be at no less than 48 inches below the lowest level of any borrow ditch paralleling the County Road and an "Individual permit" must be submitted for each instance.
- ☐ Applicant shall have the right to install and construct bore under C.R. 38 for replacement pipe described above, in the right of way of C.R. 38, but such installation and construction shall be done only in the following manner. All work within the county ROW shall be performed only during regular business hours of the Logan County Road & Bridge Department to enable supervision and inspection of the work.
- ☐ All work authorized by this Agreement shall be completed no later than June 11, 2021.
- ☐ It is understood that no paved or oil-surfaced road shall be cut and will be crossed by boring only. For other roads and crossings of County property after installation. Applicant shall restore the surface to the same condition as existed prior to such construction.
- ☐ All cost and expense of installation, construction, maintenance, removal, or replacement is to be paid by the Applicant.
- ☐ The traveling public must be protected during this installation with proper warning signs or signals both day and night. Warning signs and signals shall be installed by and at the expense of Applicant.

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☐ Applicant hereby releases the County from any liability for damages caused by said Boring under C.R. 38, whether caused by employees or equipment of the County, or others, at any time. Further, Applicant agrees to protect, save and hold harmless, and indemnify the County from and against all liability, loss, damages, personal injuries or expenses suffered by or imposed against the County by reason of the construction, installation or maintenance of the above described improvement.

☐ No perpetual easement or right of way is granted by this instrument and should Applicant's use of said right-of-way interfere with the County's use, or intended use of said right-of-way, Applicant will remove or relocate the same upon demand of the County. Applicant shall pay all costs of such removal or relocation.

☐ This Agreement shall be a covenant running with the above-described real property and shall be binding upon the parties hereto, their heirs, successors, personal representatives, and assigns.

☐ Other Provisions: _____

Note: Applicants in the process of acquiring a Conditional Use Permit or a Special Use Permit - If easements containing signatures have been obtained and are in hand for the appropriate permit, then the landowner signatures required below can be waived.

Owner #1

Randy Barton
Signature

Printed name

Randy Barton r.barton@sterlingenergy.us

Owner #2

Sean I Miller
Signature

Printed Name

Sean I Miller

Individual Right-of-Way Permit Applicant:

Randy Barton
Printed name

Randy Barton
Signature

Address: _____

Application Fee Paid 100.⁰⁰

Date 5/26/21

Signed at Sterling, Colorado the day and year first above written.

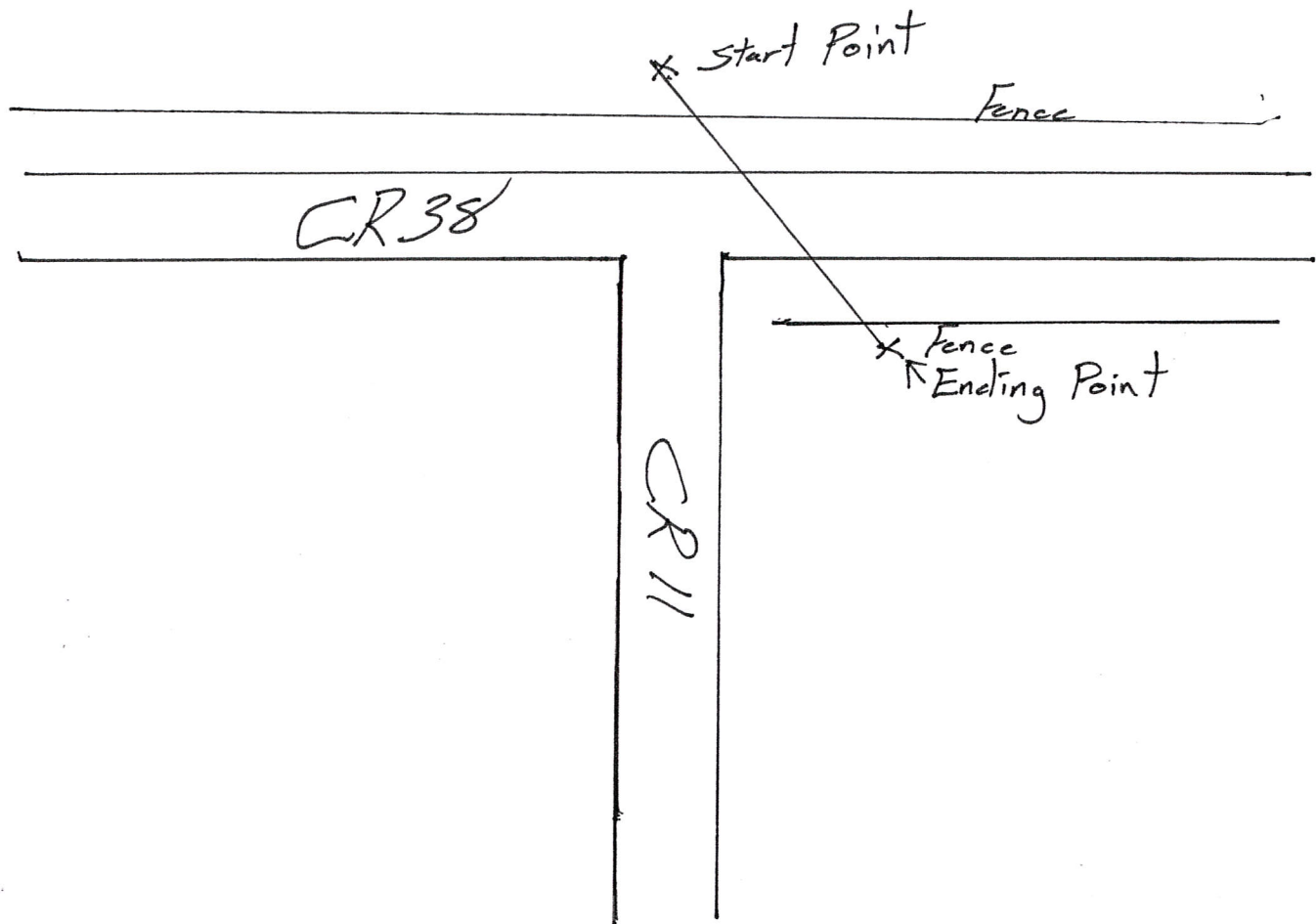
THE BOARD OF COUNTY COMMISSIONERS
LOGAN COUNTY, COLORADO

Byron H. Pelton (Aye) (Nay)

Joseph A. McBride (Aye) (Nay)

Jane E. Bauder (Aye) (Nay)

Sterling Oil & Gas
ROW2021-10
Bore under C.R. 38, Sterling



Work will begin at a point in Rudy Budin's pasture on the south side of CR38 & CR11. We will bore 4' deeper than the ditch and continue diagonal to the NW and stop the bore in Rudy Budin's pasture just past County right of way. The bore distance is approximately 120' and is to replace an existing natural gas pipeline.

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Bore under C.R. 38, Sterling

RESOLUTION

No. 2021- 22

A resolution of the Board of County Commissioners of Logan County, Colorado, cancelling certain tax sale certificates issued in error as a result of erroneous severed mineral assessments.

WHEREAS, tax liens on certain severed mineral interests were sold for nonpayment of delinquent ad valorem property taxes, as identified in the attached Exhibit A, and subsequently accrued taxes have been paid by the tax lien certificate holders; and

WHEREAS, the tax liens identified in Exhibit A should not have been sold at the tax sale because they involved incorrectly identified and assessed severed mineral interests; and

WHEREAS, the tax lien certificate purchasers have been advised of the errors and may assign their certificates to Logan County in order to receive reimbursement; and

WHEREAS, C.R.S. §39-12-111, provides that when, by mistake or error of the treasurer, county clerk and recorder, or assessor or from double assessment, a tax lien has been sold on land upon which no tax was due at the time, the county shall reimburse the purchaser the amount paid in connection with the purchase of the tax lien, together with interest at a rate equal to the two percentage points above the discount rate or 8% per annum, whichever is greater.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Logan County, Colorado, as follows:

1. The tax lien certificate holders listed on Exhibit A may be reimbursed the purchase price and subsequent taxes from the various funds to which the tax payments were originally distributed, together with statutory interest pursuant to C.R.S. §39-12-111.
2. The tax sale certificates shown on Exhibit A are hereby cancelled.
3. The taxes assessed on the severed mineral interests for the tax years shown on Exhibit A are hereby cancelled and abated pursuant to C.R.S. §§39-11-107 and 39-10-114 because the mineral interests were incorrectly assessed.

The above and foregoing Resolution was, on motion duly made and seconded, adopted by the following vote on the 1st day of June, 2021.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF LOGAN AND
STATE OF COLORADO

(Aye) (Nay)
Byron H. Pelton, Chairman

(Aye) (Nay)
Joseph A. McBride

(Aye) (Nay)
Jane E. Bauder

ATTEST:

I, Pamela M. Bacon, the County Clerk and Recorder in and for the County of Logan, State of Colorado do hereby certify that the foregoing resolution was adopted by the Board of County Commissioners of the County of Logan, State of Colorado, in its regular session assembled this 1st day of June, 2021.

County Clerk and Recorder

CERT NO	TAX YR	PARCEL	TAX DIST	ASSESSED OWNER	CERT HOLDER	REASON FOR ABATE	TAX & INTEREST PAID	FEES PAID	INTEREST TO BE PAID BY CTY	TOTAL REFUND W/INT
99	2005	3M052731300010	122	JONES, ELIZABETH PRINCE	ALBRANDT, RICHARD AND DEBRA	IN PRODUCTION	\$ 8.17	\$ 74.56	\$ 71.35	\$ 154.08
508	2016	3M053125400015	407	MOORE, WINEFRED E	LOGAN COUNTY WATER CONSERVANCY DISTRICT	NEED ESTATE DOCUMENTS FOR NEWTON MOORE	\$ 3.24	\$ 36.00	\$ 9.07	\$ 48.31
507	2016	3M053125400016	407	MOORE, ROSE M	LOGAN COUNTY WATER CONSERVANCY DISTRICT	NEED ESTATE DOCUMENTS FOR NEWTON MOORE	\$ 3.24	\$ 36.00	\$ 9.07	\$ 48.31
506	2016	3M053125400014	407	MOORE, RICHARD T.	LOGAN COUNTY WATER CONSERVANCY DISTRICT	NEED ESTATE DOCUMENTS FOR NEWTON MOORE	\$ 3.24	\$ 36.00	\$ 9.07	\$ 48.31
221	2016	3M048320300008	113	BERG, BEVERLY	GIACOMINI, THOMAS A., NANCY J., TED J., AND JUDITH A.	ROYALTY INTEREST ONLY	\$ 3.61	\$ 36.00	\$ 9.10	\$ 48.71
276	2016	3M048320300013	113	CHIPPS, DOROTHY E.	GIACOMINI, THOMAS A., NANCY J., TED J., AND JUDITH A.	ROYALTY INTEREST ONLY	\$ 6.67	\$ 36.00	\$ 9.67	\$ 52.34
474	2016	3M048320300004	113	HUSSEY, ELTON	GIACOMINI, THOMAS A., NANCY J., TED J., AND JUDITH A.	ROYALTY INTEREST ONLY	\$ 3.61	\$ 36.00	\$ 9.10	\$ 48.71
517	2016	3M048320300003	113	OLSON, EARL	GIACOMINI, THOMAS A., NANCY J., TED J., AND JUDITH A.	ROYALTY INTEREST ONLY	\$ 3.61	\$ 36.00	\$ 9.10	\$ 48.71
336	2016	3M048320200049	113	DAVIS, CHERRELYN	CUCAROLA, GREGORY J.	ALREADY DEEDED AT 1003/537	\$ 3.60	\$ 36.00	\$ 9.14	\$ 48.74
443	2016	3M048320200048	113	GRAHAM, ANN	CUCAROLA, GREGORY J.	ALREADY DEEDED AT 1003/535	\$ 3.60	\$ 36.00	\$ 9.14	\$ 48.74
280	2014	3M052504200031	113	MAKI, ISOBEL	OLIVER, DENNIS	PER WILL CANNOT BE ASSESSED IN MAKI'S NAME	\$ 5.35	\$ 46.00	\$ 16.80	\$ 68.15
278	2014	3M052504100122	113	MAKI, ISOBEL	OLIVER, DENNIS	PER WILL CANNOT BE ASSESSED IN MAKI'S NAME	\$ 5.35	\$ 46.00	\$ 16.80	\$ 68.15
281	2014	3M052504200111	113	MAKI, ISOBEL	OLIVER, DENNIS	PER WILL CANNOT BE ASSESSED IN MAKI'S NAME	\$ 5.35	\$ 46.00	\$ 16.80	\$ 68.15
128	2018	3M027901200020	504	BROWN, GREGORY J	THIESSEN FARMS	LACKING PROPER DOCUMENTS TO TRANSFER OWNERSHIP	\$ 0.77	\$ 21.00	\$ 2.90	\$ 24.67
131	2018	3M027901200021	504	BROWN, MICHAEL J	THIESSEN FARMS	LACKING PROPER DOCUMENTS TO TRANSFER OWNERSHIP	\$ 0.77	\$ 21.00	\$ 2.90	\$ 24.67
191	2015	3M053121100018	407	BROWN, VALDA ARLENE	SOUTH FORK CATTLE COMPANY	NEED ESTATE DOCUMENTS FOR ALTA J TIDWELL	\$ 3.98	\$ 41.00	\$ 12.65	\$ 57.63

EXHIBIT A

[illegible]