



DISTRICT COURT, WATER DIVISION
NO. 4, COLORADO
1200 North Grand Ave. Bin A
Montrose, CO 81401

DATE FILED: August 13, 2019
CASE NUMBER: 2016CW3046

CONCERNING THE APPLICATION FOR
WATER RIGHTS OF SADDLE RIDGE
RANCH ESTATES WATER COMPANY,
a Colorado non-profit corporation

▲ COURT USE ONLY ▲

Case Number: 16CW3046
(Ref: 08CW099, 97CW92)

Div.:

Ctrm.:

ORDER CORRECTING EXHIBIT A TO WATER DECREE

Upon the Petition of Saddle Ridge Ranch Estates Water Company, c/o O'Hayre Dawson, P.C., filed August 7, 2019, to correct Exhibit A to the water decree in Case No. 97CW92, to correctly include the properties subject to the water decree, finding good cause therefore, the Court orders as follows:

1. The Court entered the original water decree in this case on August 29, 2002 in Case No. 97CW92 for the central water system for Saddle Ridge Ranch Estates Subdivision and up to an additional 20 residential units on lands set forth in Exhibit A to the 97CW92 Decree.
2. The 97CW92 Decree was recorded on September 4, 2002 at Rec. No. 523455 of the records of Gunnison County, Colorado.
3. Exhibit A to the 97CW92 Decree incorrectly listed the legal description for Tract 3.
4. The attached Exhibit A, shall supersede and replace Exhibit A to the 97CW92 Decree, as it correctly lists the lands eligible for service from the central water system for Saddle Ridge Ranch Estates outside of the subdivision.

Dated this ____ day of _____, 2019.
DATED August 13, 2019


District Court Judge
Water Division 4

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Applicant has committed to supply up to, but no more than 20 additional single family residential units on the following lands:

Lots 1 through 9, inclusive, MOON RIDGE SUBDIVISION, according to the official plat thereof bearing Reception No. 465167, recorded January 11, 1996 and the replat bearing Reception No. 471100.

Lots 1 through 20, inclusive, GLACIER LILY SUBDIVISION, according to the official plat thereof bearing Reception Nos. 385811, 405798 and 444060.

Tract 1

Township 13 South, Range 86 West, 6th P.M.

Section 35: A tract of land situated in the SE1/4NW1/4 and the SW1/4NW1/4 of said Section 35, being more particularly described as follows:

Beginning at the NE corner of the SE1/4NW1/4 of said Section 35; thence S 89°45'37" W 1606.33 feet along the North line of the S1/2NW1/4 of said Section 35 to the TRUE POINT OF BEGINNING; thence S 40°06'59" E 816.26 feet to a point on the North right of way of an existing county road; thence S 80°40'35" W 105.07 feet along the North right of way of said road to a point; thence S 10°01'04" E 4.25 feet to a point of curve; thence 187.58 feet along the arc of a non-tangent curve to the left having a delta of 51°10'44" and a radius of 210.0 feet and a chord of S 54°22'23" W 181.41 feet to a point; thence N 35°25'57" W 920.5 feet to a point on the North line of the S1/2NW1/4 of said Section 35; thence N 89°45'37" E 258.09 feet along the North line of the S1/2NW1/4 of said Section 35 to the TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM that portion of the subject property conveyed to the Board of County Commissioners of Gunnison County by Warranty Deed recorded July 8, 1983 in Book 594 at page 248,

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State of Colorado.

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Tract 2:

A tract of land located in the SE1/4NW1/4 and SW1/4NW1/4 of Section 35, Township 13 South Range 86 West, 6th P.M., more particularly described as follows:

Beginning at the NE corner of the SE1/4NW1/4 of said Section 35; thence S 89°45'37" W 1268.33 feet along the North line of the SE1/4NW1/4 of said Section 35 to the TRUE POINT OF BEGINNING; thence S 39°16'36" E 753.96 feet to a point on the North right of way of an existing county road; thence S 77°53'22" W 71.63 feet along the North right of way of said road to an angle point; thence S 83°21'38" W 190.28 feet along the North right of way of said road to an angle point; thence S 80°40'35" W 30.72 feet along the North right of way of said road to a point; thence N 40°06'59" W 816.26 feet to a point on the North line of the SW1/4NW1/4 of said Section 35; thence N 89°45'37" E 338.0 feet along the North line of the SW1/4NW1/4 of said Section 35, to the TRUE POINT OF BEGINNING.

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TRACT 3

A tract of land within the SE¹/₄ NW¹/₄ of Section 35, Township 13 South, Range 86 West, Sixth Principal Meridian, Gunnison County, Colorado; said tract being more particularly described as follows: Commencing at the northeast corner of said SE¹/₄ NW¹/₄; thence South 89 degrees 44' 29" West 569.83 feet along the northerly boundary of said SE¹/₄ NW¹/₄ (this line having a recorded course of S 89 degrees 45' 37" West) to the northeasterly corner of the Lock Ranch Inc. property, (as described in Exhibit A, Parcel 3, of the Amended Order of Partition from District Court of Gunnison County, recorded in Book 552 at Page 63 of the records of Gunnison County) ; said corner also being the POINT OF BEGINNING of the herein described tract; thence the following courses around said tract: 1. South 39 degrees 04' 30" East 507.15 feet along the northeasterly boundary of said Lock Ranch Inc. property to the northerly corner of the Board of County Commissioners of Gunnison County property, (as described in Book 594 at Page 256 of the records of Gunnison County) 2. South 67 degrees 20' 03" West 286.01 feet along the northwesterly boundary of said property to a point on the westerly boundary of said Lock Ranch Inc. property, (the recorded bearing for this leg is South 68 degrees 17' 13" West on a Colorado State Coordinate System Grid North basis) 3. North 36 degrees 02' 44" West 621.53 feet along said boundary to the northwest corner of said property; 4. South 89 degrees 44' 29" West 310.00 feet along the northerly boundary of the said SE¹/₄ NW¹/₄ to the northeasterly corner of said property (this course having a recorded bearing of North 89 degrees 45' 37" East) , said corner also being the POINT OF BEGINNING of the herein described tract. The above described tract is the same property described as Parcel 3, of the Amended Order of Partition recorded in Book 552 at Page 63 of the records of Gunnison County, less and except that parcel conveyed to the Board of County Commissioners of Gunnison County in a deed recorded in book 594 at Page 256 of the records of Gunnison County.

Parcel Two (Tract A-2)

A tract of land in the SE ¹/₄ NW ¹/₄ of Section 35, T13S, R86W, 6th Principal Meridian, to wit:

Beginning at the NE corner of the SE ¹/₄ NW ¹/₄ of said Section 35; thence South 89°45'37" West 330.00 feet along the north line of the SE ¹/₄ NW ¹/₄ of said Section 35 to the true point of beginning; thence South 30°47'57" East 407.09 feet along the west line of Tract A-1 to the north right of way line of an existing county road; thence South 65°31'38" West 132.5' along the north right of way line of said road to a point; thence North 39°04'30" West 519.84 feet along the east line of Tract B to a point on the north line of the SE ¹/₄ NW ¹/₄ of said Section 35; thence North 89°45'37" East 239.83 feet along the north line of the SE ¹/₄ NW ¹/₄ of said Section 35 to the true point of beginning,

Excepting therefrom:

A tract of land in the SE ¹/₄ NW ¹/₄ of Section 35 of Township 13 South, Range 86 West, 6th Principal Meridian, more particularly described as follows: Commencing at the north quarter corner of said Section 35 as marked by a G.L.O brass cap monument; thence South 15°10'40" West 1360.03 feet to the NE corner of Parcel 2 as described in the Amended Order of Partition recorded in Book 552 at Page 63 of the records of the Gunnison County Clerk and Recorder; thence South 29°51'46" East 413.32 feet to the southeast corner of said Parcel 2 (this course being recorded as South 30°47'57" East 407.09 feet), said corner being on the northerly right-of-way fence of the Gothic County Road and said corner being the Point of Beginning; thence South 66°23'34" West 131.53 feet along said fence to the southwest corner of said Parcel 2; thence North 38°08'19" West 19.26 feet along the westerly boundary of said Parcel 2; thence North 68°17'13" East 22.63 feet; thence 111.47 feet along the arc of a 730.00 foot radius curve to the left, said curve having a chord of North 63°54'45" East 111.36 feet to a point on the easterly boundary of said Parcel 2; thence South 29°51'46" East 22.84 feet to the point of beginning;

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Tract 4:

TRACT A-1,

A TRACT OF LAND IN THE SE $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 35, T.13S, R.86W., 6th PRINCIPAL MERIDIAN, TO WIT;

BEGINNING AT THE NE CORNER OF THE SE $\frac{1}{4}$ NW $\frac{1}{4}$ OF SAID SECTION 35 COMMON TO THE NE CORNER OF SAID TRACT;

THENCE S0 $^{\circ}$ 11' 05" W. 296.17' ALONG THE EAST LINE OF THE SE $\frac{1}{4}$ NW $\frac{1}{4}$ TO THE NORTH RIGHT OF WAY OF THE EXISTING COUNTY ROAD.

THENCE S65 $^{\circ}$ 31' 35" W. 132.50' ALONG THE NORTH R.O.W. OF SAID ROAD;

THENCE N30 $^{\circ}$ 47' 57." W. 407.09' TO THE NORTH LINE OF THE SE $\frac{1}{4}$ NW $\frac{1}{4}$ OF SAID SECTION 35;

THENCE N89 $^{\circ}$ 45' 37" E. 330.00' TO THE TRUE POINT OF BEGINNING, CONTAINING 1.73 ACRES MORE OR LESS.

Excepting therefrom:

Commencing at the north quarter corner of said Section 35 as marked by a 6LO brass cap monument; thence South 1 $^{\circ}$ 08'08" West 1316.86 feet to the northeast corner of Parcel 1 as described in the Amended Order of Partition recorded in Book 552 at Page 63 of the records of the Gunnison County Clerk and Recorder's Office; thence South 1 $^{\circ}$ 08'08" West 291.42 feet to the southeast corner of said Parcel 1 (this course being recorded as South 0 $^{\circ}$ 11'05" West 296.17 feet), said corner being on the northerly ROW fence of the Crested Butte - Gothic County Road and said corner being the Point of Beginning for the tract herein described; thence the following courses around said tract:

1. South 56 $^{\circ}$ 46'06" West 62.05 feet along said ROW fence;
2. South 66 $^{\circ}$ 23'34" West 72.57 feet along said ROW fence to the southwest corner of said Parcel 1;
3. North 29 $^{\circ}$ 51'46" West 22.84 feet along the westerly boundary of said Parcel 1;
4. 42.06 feet along the arc of a 730.00 foot radius curve to the left, said curve having a chord of North 57 $^{\circ}$ 53'15" East 42.05 feet;
5. North 56 $^{\circ}$ 14'13" East 114.28 feet to the easterly boundary of said Parcel 1;
6. South 1 $^{\circ}$ 08'08" West 42.62 feet to the Point of Beginning.

This tract contains 0.105 acres more or less. Bearings used herein are relative to Colorado State Coordinate System Grid North.

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Tract 5:

Township 13 South, Range 86 West, 6th P.M.

Section 35: A tract of land located in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 35,
more particularly described as follows:

Beginning at the NE corner of the SE $\frac{1}{4}$ of said Section 35;
thence S 0°11'05" W. 825.00 feet along the East line of the
SE $\frac{1}{4}$ of said Section 35 to a point; thence West 290.38 feet
to the TRUE POINT OF BEGINNING; thence West 548.0 feet to a
point; thence North 109.03 feet to a point on the South right
of way of an existing county road; thence N 69°48'34" E. 297.45
feet along the South right of way of said road to a point; thence
S 51°46'51" E. 342.17 feet to the TRUE POINT OF BEGINNING,

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State of Colorado.

Tract 6:

Township 13 South, Range 86 West, 6th P.M.

Section 35: A tract of land situated in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 35,
being more particularly described as follows:

Beginning at the NE corner of the SE $\frac{1}{4}$ of said Section 35,
thence S 0°11'05" W 825.00 feet along the east line of the
SE $\frac{1}{4}$ of said Section 35 to a point; thence West 99.38
feet to the TRUE POINT OF BEGINNING; thence West 191.0 feet
to a point; thence N 51°46'51" W 342.17 feet to a point on the
South right of way of an existing county road; thence
N 69°48'34" E 297.45 feet along the South R.O.W. of said road
to a point; thence S 29°53'07" E 362.57 feet to the TRUE POINT
OF BEGINNING,

EXCEPTING THEREFROM any portion of the above described property which may lie
within that property conveyed to the Board of County Commissioners of Gunnison
County in Warranty Deed from Frank S. Hoffman recorded July 8, 1983 in Book
594 at page 250,

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Tract 7:

Township 13 South, Range 86 West, 6th P.M.

Section 35: A tract of land situated in the SE1/4NW1/4 of said Section 35, being more particularly described as follows:

Beginning at the NE corner of the SE1/4NW1/4 of said Section 35; thence S 0°11'05" W 414.16 feet to the TRUE POINT OF BEGINNING; thence S 0°11'05" W 410.84 feet along the East line of the SE1/4NW1/4 of said Section 35 to a point; thence West 99.38 feet to a point; thence N 29°53'07" W 362.57 feet to a point on the South right of way of an existing county road; thence N 69°48'34" E 65.68 feet along the South right of way of said road to an angle point; thence N 71°25'53" E 231.77 feet along the South right of way of said road to the TRUE POINT OF BEGINNING;

Tract 8:

Township 13 South, Range 86 West, 6th P.M.

Section 35: SE1/4

Excepting therefrom the metes and bounds description of the Moon Ridge Subdivision, according to the official plat thereof bearing reception no. 465167, recorded January 11, 1996, and the replat bearing reception no. 471100.

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Tract 9:

A tract of land situated in the SE1/4 NW1/4 of Section 35, T13S, R86W, 6TH P.M., to wit:

Beginning at the NE corner of the SE1/4 NW1/4 of said section 35, thence S 89 degrees 45' 37" W 879.83' along the north line of the SE1/4 NW1/4 of said section 35, to the true point of beginning; thence S 36 degrees 02' 44" E 630.27' along the west line of tract B to a point on the north right of way of an existing county road; thence S 70 degrees 16' 26" W 111.65' along the north R.O.W. of said road to an angle point; thence S 77 degrees 53' 22" W 180.99' along the east line of tract CD-2 to a point on the north line of the SE1/4 NW1/4 of said section 35; thence N 39 degrees 16' 36" W, 753.96' along the east line of tract CD-2 to a point on the north line of the SE1/4 NW1/4 of said section 35; thence N 89 degrees 45' 37" E 388.5' along the north line of the SE1/4 NW1/4 of said section 35 to the true point of beginning.

County of Gunnison, State of Colorado; according to the records of the Gunnison County Clerk and Recorder.

Tract 10:

A tract of land for County Road right-of-way purposes situate in the W1/2 of Section 35, Township 13 South, Range 86 West of the 6th P.M.; Gunnison County, Colorado, being a part of that certain tract described in Book 571 at Page 707-708 of the Gunnison County real property records, said right-of-way tract being more particularly described as follows:

Commencing at the N.E. Corner of the SE1/4NW1/4 of said Section 35; thence S00°11'05"W on the east line of the SE1/4NW1/4 of said Section 35 1404.07 feet; thence N90°00'00"W 1164.10 feet; thence N09°50'49"W 30.45 feet to the point of beginning; thence N09°50'49"W 492.04 feet; thence 62.90 feet on the arc of a 160.00 foot radius nontangent curve to the right (the chord of which bears N09°42'10"E 62.50 feet and the central angle of which is 22°31'31"); thence S78°28'37"W 25.82 feet; thence S09°41'40"E 549.08 feet; thence S90°00'00"E 6.44 feet to the beginning.

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Parcel No. 1.

A tract of land situated in the S/2 NW/4 and N/2 SW/4 of Section 35, Township 13 South, Range 86 West, 6th P.M., Gunnison County, Colorado, more particularly described as follows:

Beginning at the Northeast corner of the S/2 NW/4 of said Section 35;

Thence South 00°11'05" West 825.0 feet along the North-South centerline of said Section 35 to the true point of beginning;

Thence South 00°11'05" West 549.07 feet along the North-South centerline of said Section 35;

Thence West 428.0 feet;

Thence North 00°11'05" East 549.07 feet;

Thence East 428.0 feet to the true point of beginning.

Parcel No. 2.

A tract of land situated in the S/2 NW/4 and N/2 SW/4 of said Section 35, more particularly described as follows:

Beginning at the Northeast corner of the S/2 NW/4 of said Section 35;

Thence South 00°11'05" West 825.0 feet along the North-South centerline to a point;

Thence West 428.0 feet to the true point of beginning;

Thence South 00°11'05" West 549.07 feet;

Thence West 445.0 feet;

Thence North 03°47'31" East 550.27 feet;

Thence East 410.38 feet to the true point of beginning.

Parcel No. 3.

A tract of land situated in the S/2 NW/4 and N/2 SW/4 of said Section 35, more particularly described as follows:

Beginning at the Northeast corner of the S/2 NW/4 of said Section 35;

Thence South 00°11'05" West 825.0 feet along the North-South centerline of said Section 35 to a point;

Thence West 838.38 feet to the true point of beginning;

Thence South 03°47'31" West 550.27 feet;



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Thence West 296.40 feet to a point on the East right of way of County Highway No. 135;

Thence North $09^{\circ}50'49''$ West 492.04 feet along the East right of way of said Highway No. 135 to a point of curve;

Thence 204.80 feet along the arc of a non-tangent curve to the right on the East right of way of said Highway No. 135 having a radius of 160.0 feet and a delta of $73^{\circ}20'14''$ and a chord bearing North $35^{\circ}07'10''$ East 191.0 feet to a point of non-tangency;

Thence North $75^{\circ}04'07''$ East 46.57 feet along the South right of way of said Highway No. 135;

Thence South $76^{\circ}51'57''$ East 61.61 feet along the South right of way of said Highway No. 135;

Thence North $84^{\circ}37'36''$ East 202.89 feet along the South right of way of said Highway No. 135;

Thence South 109.03 feet to the true point of beginning.

Parcel No. 4.

A tract of land located in the N/2 SW/4 of said Section 35, described as follows:

Beginning at the Northeast corner of the S/2 NW/4 of said Section 35;

Thence South $00^{\circ}11'05''$ West 1,374.07 feet along the East line of the SE/4 NW/4 and the NE/4 SW/4 of said Section 35 to the true point of beginning;

Thence West 1,169.40 feet to a point on the East right of way of an existing road;

Thence South $09^{\circ}50'49''$ East 30.45 feet along said right of way to a point;

Thence East 1,164.10 feet to a point of the East line of the NE/4 SW/4 of said Section 35;

Thence North $00^{\circ}11'05''$ East 30.0 feet along said East line to the true point of beginning.

County of Gunnison
State of Colorado.

