

**PETITION FOR INCLUSION OF LANDS IN MUNICIPAL SUBDISTRICT
NORTHERN COLORADO WATER CONSERVANCY DISTRICT**

TO THE BOARD OF DIRECTORS OF MUNICIPAL SUBDISTRICT,
NORTHERN COLORADO WATER CONSERVANCY DISTRICT

1. All the owner(s) of lands situated in the County of _____ State of Colorado, hereby petition(s) and pray(s) that the lands hereinafter described be included in said Municipal Subdistrict, Northern Colorado Water Conservancy District ("Subdistrict").
2. The description of the lands owned by the Petitioner(s) is as follows:

<u>PETITIONER</u>	<u>DESCRIPTION</u>	<u>SEC.TWP.RGE.</u>	<u>ACRES</u>
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TOTAL ACRES INCLUDED _____

AMOUNT OF SUBDISTRICT PROCESSING FEE ENCLOSED \$ _____

The Processing Fee is calculated as follows:

If petitioning for inclusion in either the Municipal Subdistrict, Northern Colorado Water Conservancy District (Subdistrict) or the Northern Colorado Water Conservancy District, (Northern Water), the processing fee will be \$400.00. If petitioning for inclusion in both the Municipal Subdistrict and Northern Water, the processing fee will be \$700.00.

3. All the owner(s) of the above-described property and their heirs, successors, and assigns hereby agree to be bound by the Water Conservancy Act, C.R.S. ' 37-45-101 et. seq., as amended from time to time, and all rules, regulations, and policies of the Subdistrict as amended or changed from time to time.
4. All of the owner(s) of the above-described property hereby agree(s) that inclusion of the above-described lands into the Subdistrict is conditioned on present and future payment of the same mill levies and special assessments as are levied or will be levied on other similarly situated property in the Subdistrict at the time of inclusion of the Petitioner(s) lands. If such payments are not made on such equal basis, the inclusion of the lands can be terminated for non-compliance with this condition if payments are not otherwise made.
5. Pursuant to the Subdistrict Resolution (MS 204 02-95), it is the policy of the Subdistrict Board that new lands included within the Subdistrict also be included within the boundaries of the Northern Colorado Water Conservancy District (Northern Water), unless determined otherwise by the Subdistrict or Northern Water Board. If Petition into Northern Water is required, both consent of the United States (Secretarial assent) and Northern Water Board approval will be required.
6. All the owner(s) of the above-described property have executed Appendix "A" attached hereto.

**THIS PETITION INCLUDING APPENDIX A MUST BE SIGNED
BY ALL OF THE OWNERS OF THE ABOVE-DESCRIBED PROPERTY**

<u>SIGNATURES</u>	<u>TITLE</u> (if in relation to a Partnership or a Corporation)	<u>MAILING ADDRESS</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

STATE OF COLORADO)
) ss
County of _____)

The foregoing instrument was acknowledged before me this _____ day of _____,

A.D. 20___, by _____

Witness my hand and Seal. My commission expires: _____

Notary Public

STATE OF COLORADO)
) ss
County of _____)

The foregoing instrument was acknowledged before me this _____ day of _____,
A.D. 20___, by _____

Witness my hand and Seal. My commission expires: _____

Notary Public

STATE OF COLORADO)
) ss
County of _____)

The foregoing instrument was acknowledged before me this _____ day of _____,
A.D. 20___, by _____

Witness my hand and Seal. My commission expires: _____

Notary Public

STATE OF COLORADO)
) ss
County of _____)

The foregoing instrument was acknowledged before me this _____ day of _____,
A.D. 20___, by _____

Witness my hand and Seal. My commission expires: _____

Notary Public

APPENDIX A

Purpose

The purpose of this covenant is to subject Petitioner's property, described in the petition for inclusion and court order for inclusion, to the same mill levies and special assessments as are levied or will be levied on other similarly situated property in the Municipal Subdistrict (ASubdistrict@) of the Northern Colorado Water Conservancy District at the time of inclusion of Petitioner's lands.

Waiver

Petitioner hereby waives any right which may exist to require an election pursuant to article X, ' 20 of the Colorado Constitution before the Subdistrict can impose the mill levies and special assessments specified below. Petitioner also waives any right which may exist to a refund pursuant to article X, ' 20 of the Colorado Constitution.

Mill Levies and Special Assessments

Upon inclusion into the Subdistrict, and as an express condition thereof, Petitioner covenants to pay any and all special assessments levied by the Board of Directors of the Subdistrict against Petitioner=s property in the event the municipality or public corporation in which Petitioner=s property is located defaults on payment of its obligations under existing or future allotment contracts with the Subdistrict. Such obligations include, but are not limited to:

1. Repayment of the bonded indebtedness of the Windy Gap Project.
2. Payment of the annual costs incurred by the Subdistrict in the administration, operation, maintenance, repair and rehabilitation of Windy Gap facilities and such other annual costs as may arise from and be attributable to the operation of the Windy Gap Project.

Covenant to Run with the Land

This covenant will run with and burden the property described in the petition for inclusion and court order for inclusion and binds all future owners of the property.

ALL OWNERS OF THE ABOVE-DESCRIBED PROPERTY MUST SIGN THIS APPENDIX A.

DATE

SIGNATURES

MAILING ADDRESS

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____