



SOMERSET DOMESTIC WATERWORKS DISTRICT)
GUNNISON COUNTY, COLORADO)
STATEMENT OF PURPOSES)

The Board of Directors of the Somerset Domestic Waterworks District, Gunnison County, Colorado, hereby files this Statement of Purposes as required by Section 32-1-208, C.R.S. As grounds for this filing the Board states as follows:

I. History of Formation of District. This District was formed on November 6, 1961, by Order of the Gunnison County Commissioners recorded at Reception #250016 (**Exhibit 1**). The statutory authority for the creation of the District is stated in the 1953 Act, Chapter 89 entitled "Local Improvement and Service Districts". Article 1 of Chapter 89 concerns the formation of "Domestic waterworks districts" in unincorporated territories. The 1953 Act did not require the filing of a service plan with the County but only a "... description of the boundaries of such proposed district, the means proposed to supply water for domestic use, the name proposed for such district..." and the naming of a committee of three petitioners to represent the petition. The 1953 Act required an order forming the District from the County Commissioners and the recording of the order with the Gunnison County Clerk, but no district court proceeding or order of formation from was required. The Board submits that all matters required by the 1953 Act for the formation of the District were submitted to the Commissioners. The District has been in continuous operation since November 1961.

II. Evolution of Local Improvement Districts. Chapter 89 of the 1953 Act consists of eleven articles for the formation of various Local Improvement and Service Districts, specifically including domestic waterworks districts. In 1965 the Colorado Legislature enacted the Special District Control Act of 1965 originally codified at article 18 of chapter 89, C.R.S. (1965 Per.Cum.Supp.). Chapter 89 was re-codified as Title 32 in 13 C.R.S. (1973). The 1965 Special District Control Act for the first time required a formal service plan, an order approving the service plan from the County Commissioners and an order of formation from the district court. In Section 89-18-3 the term "special district" was defined to refer to any of the various service district "organized under the local improvement and service district laws of this state." Ch. 225, sec. 3, §89-18-3, 1965 Colo.Sess.Laws 887.

The 1965 Special District Control Act was repealed and reenacted in 1981 pursuant to the Colorado "Special District Act", 32-1-101, et. seq. C.R.S. Section 32-1-308(1) provides:



(1) The provisions of this article which become effective July 1, 1981, shall apply to all special districts existing on June 30, 1981, or organized thereafter; except that any such existing district need not obtain a name change to conform to this article and that any district may continue to operate for the purpose or purposes for which it was organized.

Section 32-1-208 provides in part that any special district which does not have a service plan approved pursuant to the Special District Act of 1981 shall file a statement of purposes with the Board of County Commissioners. This filing is made pursuant to such Section.

III. Statement of Purposes. The District is formed to provide a domestic water supply and water works for properties outside of incorporated towns or cities. Somerset is an unincorporated community in Gunnison County, Colorado. The District owns certain water rights and domestic water delivery pipelines and meters. By deed recorded at Reception #255206, the District holds title to Block No 5, Lot No. 7 of Somerset with all its improvements. The District also holds assets pursuant to that certain Assignment recorded at Reception #252968.

Historically the District has received its domestic water from Oxbow Mine. Oxbow is regulated as a water wholesaler. The raw water comes from the North Fork of the Gunnison River, is treated at the Oxbow treatment plant, goes to a finished water storage tank and then to a master meter and delivery of water to the District. The District is in discussions with Oxbow to transfer operations and full ownership of the treatment plant to the District but a date for such transfer has not been established.

IV. Map of the District. Attached as **Exhibit 2** is a map of the unincorporated community of Somerset which is the service territory of the District.

Dated this 13th day of March, 2019.

State of Colorado
County of Delta
Subscribed & Sworn to Before
Me this 13 Day of March, 2019
By Michael Byers, President
Notary Public [Signature]

Somerset Domestic Waterworks District

By: [Signature]
Michael Byers, President

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