

RICHARD SEAL OR JACK TAYLOR  
HEENEY WATER DISTRICT  
83 SCR 1799  
HEENEY, COLORADO 80498  
970-724-9252 OR 970-389-1864

Received  
JUL 26 2010  
Dept of Local Affairs

July 23, 2010

Division of Local Government  
1313 Sherman St. # 521  
Denver, CO 80203

Attn: Scott Olene

**RE: Organization of Heeneey Water District  
District Court, County of Summit, Case No. 09CV353**

Dear Division of Local Government:

In accordance with our conversation and your e-mail of 22 July 2010 and to conform to the Colorado Statutes and the District Court order attached is our amended Canvass Board's Certificate of Official Abstract of Voters Cast showing director terms of 2 and 4 years.

Please contact us if you have any questions.

Sincerely,

Richard Seal

**A M E N D E D**  
**CANVASS BOARD'S**  
**CERTIFICATE OF OFFICIAL ABSTRACT OF VOTES CAST**  
**(CERTIFICATE OF RESULTS)**

**FOR THE SPECIAL ELECTION HELD ON MAY 4, 2010**  
**HEENEY WATER DISTRICT**  
**SUMMIT COUNTY, COLORADO**

1-10-203, 1-11-103, and 32-1-104(1), CRS

Each of the undersigned members of the Canvass Board of the HEENEY WATER District certifies that the following is a true and correct abstract of the votes cast at the special election Of the HEENEY WATER District, at which time the eligible electors of the HEENEY WATER District voted as indicated on the attached Judges' Certificate of Election Returns, and as a result of which the eligible electors elected to the office the following Directors:

|                          |   |                      |
|--------------------------|---|----------------------|
| <u>Ross Rush</u><br>Name | <u>13185 W Florida Pl</u><br><u>Lakewood, CO 80228</u><br>Address | <u>2</u> - Year Term |
|--------------------------|---|----------------------|

|                                   |   |                      |
|-----------------------------------|---|----------------------|
| <u>Jack M. Taylor Jr.</u><br>Name | <u>421 Green Mtn Ave</u><br><u>Heeneey, CO 80498</u><br>Address | <u>2</u> - Year Term |
|-----------------------------------|---|----------------------|

|                            |  |                      |
|----------------------------|--|----------------------|
| <u>Joseph Huck</u><br>Name | <u>6000 S Grant</u><br><u>Littleton, CO 80121</u><br>Address | <u>4</u> - Year Term |
|----------------------------|--|----------------------|

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|-----------------------------|--|----------------------|
| <u>Richard Seal</u><br>Name | <u>1976 S Xenon St</u><br><u>Lakewood, CO 80228</u><br>Address | <u>4</u> - Year Term |
|-----------------------------|--|----------------------|

|                                |  |                      |
|--------------------------------|--|----------------------|
| <u>Donald W. Shane</u><br>Name | <u>4171 W Greenwood Pl</u><br><u>Denver, CO 80236</u><br>Address | <u>4</u> - Year Term |
|--------------------------------|--|----------------------|

The votes cast for and against each ballot issue and ballot question submitted were as follows:

**HEENEY WATER DISTRICT BALLOT QUESTION 5A:**

**Shall Heeneey Water District be Organized?**

Number of YES votes cast:

75

Number of NO votes cast

1

**HEENEY WATER DISTRICT BALLOT ISSUE 5B:**

**SHALL HEENEY WATER DISTRICT TAXES BE INCREASED \$19,200 ANNUALLY COMMENCING IN COLLECTION YEAR 2011, OR BY SUCH AMOUNT**

AS MAY BE RAISED ANNUALLY THEREAFTER BY THE IMPOSITION OF A PROPERTY TAX NO MORE THAN 12.0 MILLS FOR GENERAL OPERATIONS, ADMINISTRATION, MAINTENANCE, FINANCING AND DEBT SERVICE, AND OTHER DISTRICT PURPOSES, PROVIDED THAT SUBJECT TO THE FOREGOING MILL LEVY RATE PROVISIONS, SUCH MILL LEVY RATE MAY BE ADJUSTED IN ANY FISCAL YEAR DOWNWARDS OR UPWARDS BY THE BOARD OF DIRECTORS IN ITS DISCRETION SO LONG AS THE TOTAL MILL LEVY IMPOSED DOES NOT EXCEED 12.0 MILLS; AND SHALL THE DISTRICT BE AUTHORIZED TO COLLECT, RETAIN AND SPEND THE PROCEEDS OF SUCH TAXES AND ANY AND ALL OTHER AMOUNTS RECEIVED ANNUALLY FROM ANY REVENUE SOURCES WHATSOEVER AS A VOTER-APPROVED REVENUE CHANGE IN 2010 AND IN EACH YEAR THEREAFTER, WITHOUT REGARD TO ANY SPENDING, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED WITHIN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION, OR SECTION 29-1-301, C.R.S., OR ANY OTHER LAW?

Number of YES votes cast:

69

Number of NO votes cast:

5

**HEENEY WATER DISTRICT BALLOT ISSUE 5C:**

SHALL HEENEY WATER DISTRICT BE AUTHORIZED TO COLLECT, RETAIN, AND SPEND ANY AND ALL AMOUNTS ANNUALLY FROM ANY REVENUE SOURCES WHATSOEVER (INCLUDING WITHOUT LIMITATION ANY REVENUES FROM AD VALOREM PROPERTY TAXES, SPECIFIC OWNERSHIP TAXES, FEES, RATES, TOLLS, PENALTIES OR CHARGES, STATE, FEDERAL, AND PRIVATE GRANTS AND GIFTS, OR ANY OTHER SOURCE), AND SHALL SUCH REVENUES BE COLLECTED, RETAINED AND SPENT BY THE DISTRICT AS A VOTER-APPROVED REVENUE CHANGE WITHOUT REGARD TO ANY SPENDING, REVENUE-RAISING, OR OTHER LIMITATION CONTAINED WITHIN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW, AND WITHOUT LIMITING IN ANY YEAR THE AMOUNT OF OTHER REVENUES THAT MAY BE COLLECTED, RETAINED AND SPENT BY THE DISTRICT?

Number of YES votes cast:

65

Number of NO votes cast:

8

**HEENEY WATER DISTRICT BALLOT ISSUE 5D:**

SHALL HEENEY WATER DISTRICT DEBT BE INCREASED UP TO \$220,000 WITH A REPAYMENT COST OF UP TO \$588,000, AND SHALL HEENEY WATER DISTRICT TAXES BE INCREASED UP TO \$19,200 ANNUALLY, WITH THE INTENT AND PURPOSE THAT SUCH TAXES ARE INTENDED TO BE USED, TOGETHER WITH WATER REVENUE OF THE DISTRICT, FOR PURCHASE OF HEENEY WATER, INC., WATER IMPROVEMENTS OF THE DISTRICT AND SHALL BE PAYABLE, TOGETHER WITH WATER REVENUE AND OTHER REVENUE OF THE DISTRICT, FROM A MILL LEVY THAT SHALL NOT EXCEED A TOTAL OF 12.0 MILLS FOR BOTH DEBT SERVICE AND GENERAL OPERATING PURPOSES;

SUCH DEBT TO BEAR INTEREST AT A NET EFFECTIVE INTEREST RATE NOT IN EXCESS OF 8 %;

THE PROCEEDS OF SUCH DEBT AND TAXES, ANY INVESTMENT INCOME THEREFROM, AND ALL OTHER DISTRICT REVENUE BE COLLECTED AND SPENT WITHOUT LIMITATION OR CONDITION, AS A VOTER-APPROVED REVENUE CHANGE UNDER ARTICLE X, SECTION 20, OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

Number of YES votes cast: 70

Number of NO votes cast: 6

**HEENEY WATER DISTRICT BALLOT QUESTION 5E:**

SHALL THE LIMITATIONS OF TERMS OF OFFICE OF ELECTED MEMBERS OF THE BOARD OF DIRECTORS OF THE HEENEY WATER DISTRICT BE ELIMINATED PURSUANT TO ARTICLE XVIII, SECTION 11(2) OF THE COLORADO CONSTITUTION?

Number of YES votes cast: 62

Number of NO votes cast: 13

CERTIFIED this 6th day of May, 2010.

Greata Scott  
Designated Election Official  
Richard Seal  
Canvasser  
[Signature]  
Canvasser

Contact Person for the District: Richard Seal  
Business Address of the District: 1976 S Xenon St  
Lakewood CO 80228  
Telephone Number: 303-716-5876

**PROCEDURAL INSTRUCTIONS:** The canvassers meet to survey the returns and certify the results. They do not recount the ballots, unless there is a formal recount. No later than seven days after the election, the canvass board shall certify the official abstract of votes cast which the DEO uses to certify the election (results). This form must be filed with the Division of Local Government within 30 days after the election and must be posted in the office of the DEO. The DEO shall notify the candidates of their election; after the oath and bond are filed, the DEO shall make and deliver a formal certificate to the elected directors.

**CANVASS BOARD'S  
CERTIFICATE OF OFFICIAL ABSTRACT OF VOTES CAST  
(CERTIFICATE OF RESULTS)**

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CERTIFIED this 6th day of May, 2010.

Frederick Scott  
Designated Election Official  
William J. Bucas  
Canvasser  
[Signature]  
Canvasser

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