

STATE OF WYOMING)
) ss.
COUNTY OF HOT SPRINGS)

IN THE DISTRICT COURT
FIFTH JUDICIAL DISTRICT
FILE NO. 2141



IN THE MATTER OF THE OWL)
)
CREEK IRRIGATION DISTRICT)

FILED

JUN 26 2017

NO. _____
TERRI CORNELLA
CLERK OF DISTRICT COURT
HOT SPRINGS COUNTY
BY _____
DEPUTY

**ORDER DETERMINING AMOUNTS TO BE PAID
BY ASSESSMENTS FOR THE YEAR 2018**

The Commissioners of the Owl Creek Irrigation District having on the 5th day of June, 2017, filed with the above Court a duly verified REPORT AND PROPOSED BUDGET FOR THE YEAR 2018, wherein it is deemed necessary to be raised by assessment and otherwise within the confines of the Owl Creek Irrigation District for the ensuing year, the total amount of \$138,031.83, for the purpose of operation and maintenance of the facilities of the District, and to meet and pay expenses heretofore incurred and expenses of said District that will hereafter be incurred, and also to meet possible delinquencies and payment of same; and wherein said Commissioners did propose that the aforesaid total amount of money should be raised by an assessment of \$21.81 per acre on 4,402.96 acres of land situated within said District, comprising what is commonly known as the Lower Area, or the Lucerne and Dempsey Areas and by an assessment of \$4.58 per acre on 9,286.17 acres, more or less, comprising what is commonly known as the Middle and Upper Areas of said District, and all of which lands comprise all of the lands within and forming what is known as and otherwise being the Owl Creek Irrigation District; and by applying interest and reimbursement funds; and said Report and Proposed Budget for the Year 2018.

And the Court being further advised that the District faced an emergency requiring repair and reconstruction on and at the headgate on the Big Horn River and incurred an expense in excess of \$89,000.00, requiring the District to borrow money and the District needing a source of revenue to repay the loan, which the Commissioners proposed to be in the form of an emergency and special assessment in the amount of \$2.00 per acre in all areas, such that the total assessment against acres in the lower area shall be \$23.81 per acre and for the middle and upper areas shall be 6.58 per acre and such assessment shall continue, raising these to a total of \$165,935.06, until the debt is retired.

The Report and Proposed Budget for the Year 2018 was, on the 6th day of June, 2017, set down for hearing on the 26th day of June, 2017, beginning at 10:00 a.m., or as

soon thereafter as the matter could be heard by the Court in the Courtroom of the Courthouse at Thermopolis, Wyoming; and the Court having ordered that notice of such hearing be given by publishing a copy of the order as made and entered by the Court on June 5, 2017, and filed in this matter on June 6, 2017, once on June 8, 2017, and once on June 15, 2017, in the *Thermopolis Independent Record*; and said publication having been done, and said Report and Proposed Budget for the Year 2018, coming on to be heard before the Court on the 26th day of June, 2017, at the hour of 10:00 a.m., in the Courtroom of the Courthouse at Thermopolis, Wyoming, and proof having been made to the satisfaction of the Court that notice of said hearing and the time and place thereof was duly given, and there was present Michael S. Messenger, Messenger & Overfield, P.C., Attorney for said District, together with one of the Commissioners of the Owl Creek Irrigation District, and there was no one present to protest or object to the Report and Proposed Budget for the Year 2018, and there otherwise having been no protests or objections filed thereto, the Court did proceed to examine said Report and Proposed Budget for the Year 2018, and, having heard certain evidence in connection therewith, and being fully advised in the premises, the Court does find that the amount of money to be raised by assessments for the ensuing year on and against lands comprising said District should be as is set forth in said Report and Proposed Budget for the Year 2018.

IT IS THEREFORE ORDERED that \$165,935.06 shall be raised by assessments and otherwise for the current year, and the same shall be raised by levying an assessment of \$23.81 per acre on and against 4,402.96 acres of land situated within said District, comprising what is commonly known as the Lower Area thereof, or the Lucerne and Dempsey Areas and by levying an assessment of \$6.58 per acre on 9,286.17 acres, more or less, of land comprising what is commonly known as the Middle and Upper areas of said District, and by interest and reimbursement, and miscellaneous income as set forth in the Report filed herein, and which said amount of money shall be used and expended as set forth and itemized in the Report and Proposed Budget for the Year 2018, as filed and presented by the Commissioners of said District in the above entitled Court on June 5, 2017; and

IT IS FURTHER ORDERED that said Report and Proposed Budget for the Year 2018, as filed by the Commissioners of said District, shall be and is "The Budget of the Owl Creek Irrigation District for the Year 2018"; and

IT IS FURTHER ORDERED that this Adjudication and Order be entered of record in this Court, and that a certified copy thereof be delivered to the Commissioners of the Owl Creek Irrigation District forthwith.

DONE IN OPEN COURT this 26 day of June, 2017.


District Court Judge/Commissioner

The State of Wyoming)
County of Hot Springs) ss

I, Terri Cornella, Clerk of the Fifth Judicial District Court within and for said County and in the State aforesaid, Do hereby Certify the Foregoing to be a Full, True and Complete Copy.

Signed Terri Cornella
Date 6-26-17