



DISTRICT COURT, PUEBLO COUNTY, COLORADO Court address: 320 W. 10th St., Pueblo, CO 81003 Phone number: (719) 583-7125 (Information)	
IN THE MATTER OF THE PUEBLO CONSERVANCY DISTRICT.	
Donald J. Banner, #3026 Banner & Bower, P.C. Attorneys for the Pueblo Conservancy District 503 N. Main St., Suite 221 Pueblo, CO 81003 (719) 544-5086	A COURT USE ONLY A Case No. 17664 Div. No. B
ORDER APPROVING THE AMENDED OFFICIAL PLAN FOR THE PUEBLO CONSERVANCY DISTRICT	

COMES NOW, the Court, having reviewed the Motion for Approval of an Amended Official Plan for the Pueblo Conservancy District (PCD), and having considered the matter, does hereby Order that the following Amended Official Plan be and is hereby formally adopted by this Court:

Amended Official Plan for the Pueblo Conservancy District

1. To continue its operations with the assistance of a single staff person who is both the Engineer and Administrator of PCD. This contract of services shall pay a monthly fee for administrative services, routine examination of district properties and its levies; attendance at meetings of the board and reasonable time given to meetings with other public entities with whom PCD maintains relationships. Specific engineering projects, consultations or extended meetings shall be subject to additional billing as agreed to by the board of PCD.
2. To continue the necessary examination and maintenance of the concrete flood protection levee from 11th Street in Pueblo to Runyon Lake; the earthen levee along Wildhorse Creek and to evaluate every three years the need for any additional flood protection requirements within the boundaries of PCD. The maintenance includes but is not



limited to levee stability; erosion repair and prevention; levee seam caulking; water gate maintenance; removal of debris, vegetation and blockage; maintenance road repairs and property maintenance within PCD boundaries.

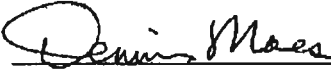
3. The PCD shall as soon as possible initiate maintenance repairs to the concrete levee between the diversion dam located below the Fourth St. Bridge and the Santa Fe Bridge at an estimated cost of \$300,000.00. PCD shall seek assistance from the Army Corps of Engineers and any alternative funding possible to complete the maintenance necessary to insure levee stability and the ability of the flood protection construction to be certified in accordance with Federal Emergency Management Agency (FEMA) requirements.
4. The PCD shall over a period of five years and thereafter as needed recaulk the seams of the concrete levee and establish maintenance plans to prevent erosion on the South slope of the levee between Dutch Clark stadium and the Santa Fe Railroad Bridge with annual costs estimated at \$60,000.00.
5. The PCD shall over a period of ten years initiate maintenance improvements on the unimproved portions of the levee slopes through brush removal, erosion control and water diversions with annual costs estimated at \$15,000.00.
6. The PCD shall initiate annual maintenance of the earthen levee to include drainage, brush, weed and debris removal with annual costs estimated at \$8,000.00. This maintenance on the earthen levee is necessary to insure eligibility for certification in accordance with FEMA requirements.
7. The PCD shall cooperate with the Historic Arkansas River Project (HARP) in the development of parks and recreational facilities which lie within the PCD District, with annual costs estimated at \$10,000.00 and special project costs funded as is appropriate from time to time.
8. The PCD will assist in the maintenance of the public access and use of Runyon Lake and the property of the District in proximity to the Lake and Runyon Field.
9. The PCD will assist in the maintenance of the public access and use of the Arkansas River and Thomas Phelps Creek for fishing, kayaking and hiking.
10. PCD will not purchase additional lands or property without this Court's prior consent.



11. The PCD will continue to budget for routine operational expenses in addition to necessary maintenance, repairs, insurance, directors' fees, cleaning and weeding operations, brush removal and protection of assets currently part of the flood protection system of PCD and the recreational enhancements contained within the boundaries of PCD.

The Court further Orders that a copy of this Order be recorded in the Records of the Recorder of Pueblo, Colorado and that a copy of this Order be printed once a week for three consecutive weeks in the Pueblo Chieftain, a newspaper in general circulation in Pueblo County, Colorado.

Done by the Court this 29 day of May, 2007.


Dennis Maes, District Judge

