

INDIAN MOUNTAIN NEWS WINTER 2015 A JOINT NEWSLETTER OF IMMD and IMPOA

IMC vs. IMMD - Water Update

The Indian Mountain Metropolitan District (IMMD) remains on track in defending the community in the lawsuit brought by Indian Mountain Corp over our water augmentation plan. The case is scheduled to go to court on March 9th in the State District Court in Fairplay. The past several months have been very busy with various motions submitted to the court, taking of depositions and gathering (discovery) of pertinent materials from over the past 40+ years. For example, the IMMD lawyer Peter Ampe provided some 5,800 pages of documents to the IMC lawyers in December. IMC has likewise provided voluminous documents to IMMD.

Several people have been deposed, which involves a formal session with a court reporter whereby lawyers ask questions for up to eight hours. IMC President James Ingalls was deposed on December 23; IMMD Secretary Glenn Haas was deposed on December 30; and IMC founder James P. Campbell, Jr. was deposed on January 7. Additional people have been interviewed and may appear as witnesses. This process continues at this writing.

Other activities include a recent decision by IMMD Board for the ad hoc IM water committee to begin preparing a draft “transition plan” so that the community is ready to take on the responsibility of the IM water augmentation plan should IMMD receive a favorable ruling in the court case. The Board also agreed to establish a “water escrow account” as a line-item in the annual IMMD budget so that the community could begin to reserve monies for future capital projects associated with the water transfer system (e.g., Slater Ditch, Long Pond, the head gate and Tarryall Ranch Reservoir).

The next newsletter will be published after the court case, so IMMD encourages property owners to stay informed via periodic updates that will be posted on the IMPOA and IMMD websites. The trial is open to the public and property owners should feel free to attend.

ALBINO ROAD (County Rd 32)

This is an article by Freed Whitaker, member of the IMPOA board and its lead on road and signage issues. As all of us who use CR 32 to access Indian Mountain are aware, it has been in terrible condition during 2014, perhaps the worst we have seen it in more than 30 years in Indian Mountain. This is the gravel road from the Como-Jefferson Firehouse on Elkhorn Road to our entrance on Albino Road, which turns into Arrowhead just west of our Community Center. Working in a cooperative manner with our new Park County Road & Bridge Director, Curtis Logsdon, has been somewhat effective. He responded to

IMPOA's request for scraping the last mile of Albino to our entrance when we spoke with him on December 30. It will be done after the New Year holiday.

The road has been scraped once before at IMPOA's request to remove the heaviest "washboard" close to our entrance. Meanwhile, R&B directs its attention to County Road 5, performing tests to determine the best roadbed mix for Park County gravel roads. An IMPOA representative drove County 5 twice during the tests and noted some limited improvement.

A survey of traffic and conditions of all 1644 miles of County roads showed Albino Road tied for second with County 5 after County 1 as the worst in the County. In fact, Albino from the firehouse to our entrance has more traffic and is in worse condition than the continuation of Elkhorn from the firehouse to Hwy 24. However, our interior IM roads did not receive their promised annual grading in 2014. We can keep pressure on R&B if our members will call often to (719)836-4277 about both issues.

2014 WILDFIRE MITIGATION – A Summary

For the third year in a row, the national Fire Protection Association named Indian Mountain a *Firewise Community*. That honor was based on three main activities in Indian Mountain to mitigate the potential consequences of a catastrophic wild fire. First is the volunteer effort organized by IMMD for the Indian Mountain burn pit. The value of the monitoring, administration and slash disposal in the pit was valued at \$22.14 per hour and totaled about \$58,000 for 2014. Second was chipping of slash generated by property owners. This work was organized by IMPOA and accomplished by the Coalition for the Upper South Platte (CUSP) and IM volunteers. These efforts were valued at about \$6,000 for 2014. IMPOA also led the work accomplished under a \$25,000 grant from the Colorado State Forest Service. This 2014 grant was administered by CUSP and IMPOA and the total work accomplished was valued at about \$54,000. These are conservative estimates so the total value of wildfire mitigation in Indian Mountain in 2014 exceeded \$117,000. This work benefits all property owners by reducing the size and magnitude of any future wildfires in the community. Property owners are encouraged to keep up the good work on their lots and in the community at large in 2015.

CONVERTING NATURAL GAS STOVES TO PROPANE – A Safety Tip

Most of us in Indian Mountain use propane to fuel our kitchen stoves. Many of these stoves are purchased in the city where the fuel of choice is natural gas. Did you know that the natural gas stoves have to be converted to handle propane? Making changes to an appliance so that it can utilize a different fuel is known as appliance conversion and involves the replacement of gas orifices, burners and/or appliance regulators. These internal connections and gas utilization fittings are designed to work with a particular gas that has a specific pressure. Natural gas is a much lower pressure gas than propane, and converting the appliance to one or the other gases requires that the differing pressure be compensated for. In other words, connecting a natural gas appliance to a propane piping system will result in appliance malfunction and possibly danger. The reason for this is that natural gas orifices are larger than propane orifices because of gas service pressure. The higher-pressure gas flowing through a larger orifice will result in more gas through the burner and probably more flame...an unnecessarily large flame. Homeowners should consult their appliance professionals to be sure they have the correct setup for their fuel in Indian Mountain.

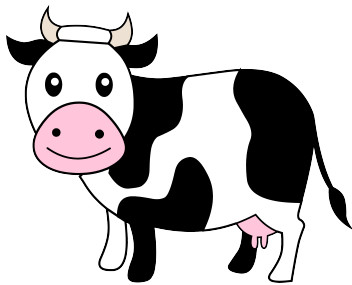
GOOD NEIGHBORS

IMPOA gets lots of phone calls and many Emails. Most of them are very nice, thanking us for this or that. A few are not so nice. They complain about one thing or another that one neighbor is doing to offend

another. The list of offences is long, as you can imagine, but here are a few examples. Some property owners feel they have the right to drive their ATVs on anyone else's property. First, it is a State offence to drive an ATV on a county road to get from one property to another, which the perpetrators did in one recent instance. Second, no property owner has any right whatsoever to be on a neighbor's property without permission, much less to damage it. Common sense should prevail here, or the Golden Rule. Come on Indian Mountaineers; let's be civil with one another.

Another common complaint is the use of mercury vapor lights. They are an abomination in our clear mountain air. They shine all the way to Fairplay. We don't live in the city; we live in the country. Get rid of those lights and in no case should a light on your property be pointed into a neighbor's property. Use motion activated lights if you must have lights to feel secure. Another complaint is garbage that is left out for collection, sabotaged by the bears and then blown around the countryside. Be a good neighbor, use bear-proof garbage containers or put them out just before pickup, whatever works for you and does not desecrate the community. We recently learned of threatening signs in Indian Mountain erected by property owners. First, signs are prohibited by our covenants. Second, Park County regulations require a permit for any signage. Third, signs that say things like "if you can read this you are in range" are not welcome here or anywhere in a respectful community. Whenever you make a change in your property that can affect other people, from a new antenna, to a new fence, to an unusual structure, to the clearing of forest slash, to the erection of signage, think about your neighbors, think about the Golden Rule and do the right thing. Most of us do. Some of us forget. Be neighborly, it's an Indian Mountain heritage.

MOOOVE 'em on out!!



This is an article by Kim Novitch, newest member of the IMPOA board of directors. Recently I awoke to find a half dozen cattle hanging out in our driveway. These slow moving "hamburgers on a hoof" were reluctant to move out, but our fierce loyal canine, Tucker, was able to encourage them to "git along little doggie." The Bureau of Land Management for Colorado recommends that you "try to contact the livestock owner first. Most ranchers don't intend their livestock to stray and will respond quickly. Once notified of the problem, the rancher may be able to do something to prevent its recurrence. If you do not know the livestock owner, contact the state board of stock inspection commissioners. Based on a description of the animals, their brands and location, the brand inspectors can provide you with appropriate information." Here in Indian Mountain, the cattle usually belong to the Springer Ranch, which free ranges its herd to the south of the community. If you contact either 719-966-2445 Theresa Springer or 719-966-2448 Owen Springer, usually they will come wrangle their cattle.

Colorado and some other states have "open range" laws intended to allow cattlemen to graze stock on unfenced range. The law allows cattlemen to graze their cattle on any unfenced property, including our IM residential lots. The only legal way we can keep them out is to fence the entire subdivision, including cattle guards, something we cannot afford. The law says if the cattle break through a fence, the property owner can pen them up, feed and water them, and then call the brand inspector to identify the owner. The owner is then asked to retrieve them. If this process is followed, the property owner can recover his or her

costs through civil court action. That approach would be a lot of work and our covenants forbid fencing. This “Catch 22” has us in a quandary. One idea that has yet to be tried in Indian Mountain is to fence all the watering holes in the subdivision so the cows stay south. It might be worth a try. What are your ideas?

LOSS OF INDIAN MOUNTAIN ICONS

IMPOA learned, just as this issue of the newsletter was going to press, of the death of an Indian Mountain hero, Swen Hagman. Swen died on January 10, 2015. Although he and Loretta never built a cabin in Indian Mountain, they camped here for years and owned several lots. Swen was a stalwart volunteer in support of IMPOA. For years, he served as the data keeper on membership, kept the database of Indian Mountain property owners and organized the annual meetings that were held at the Elks Club in Lakewood. A gentleman and a friend, Swen will be missed.

The *Fairplay Flume* also recently reported on the January 2, 2015 passing of Nancy Einarsen, wife of Bob Einarsen, long time residents of Indian Mountain. If you have seen yellow houses for mountain bluebirds on fence posts throughout Park County, you have seen the handiwork of Bob, no doubt aided by his faithful companion, Nancy. They were Indian Mountain advocates and volunteers for many years. We miss their spirited input to the oversight of the community.

IMPOA MEMBERSHIP – Have You Done Your Part?

Indian Mountain Property Owners are responding with strong support for IMPOA’s 2015 Membership Drive. A letter with a 2015 dues reminder was mailed via U.S. Postal Service in November 2014 to all owners of record with the Park County Assessor. Dues payments received through December exceed those received this time last year by 20%. Encouragingly, 16% of the 2015 dues payments have included additional donations, especially in support of the community’s defense against the lawsuit brought by Indian Mountain Corp. that is trying to make us pay for our water rights. IMPOA is helping the Indian Mountain Metropolitan District bear the cost in defending us against that lawsuit.

THANK YOU to all who have sent in their 2015 memberships and for the additional donations! Not only are your memberships necessary to fund the neighborhood-wide activities, which all property owners can enjoy, but they and your additional donations are critical to funding the costs of the lawsuit. The water case is of material importance to the value of all IM properties, regardless if there is already a well on them or not. Additionally, only IMPOA Members in good standing (i.e. current year dues paid) get to vote in IMPOA’s annual elections, which also impact the entire neighborhood and its governance.

If you have not paid your 2015 IMPOA dues, please do so as soon as possible. Membership is only \$35 per one property owner, regardless the number of lots owned in IM. Checks can be mailed to IMPOA, PO Box 196, Jefferson, CO 80456 or payment can be handed to the business manager at the IM Community Center or dropped in the IMPOA mailbox outside the front door of the Center. Any questions regarding membership can be directed to Gail Lane, Membership Director at rgflane@centurylink.net.

VACANCY ON IMPOA BOARD OF DIRECTORS

Tina Bogani recently left the IMPOA board of directors. She was a great secretary to the board and a strong participant in its deliberations and activities. She will be missed. The remaining IMPOA directors are anxious to appoint a new director to the board who would stand for election at the annual meeting of IMPOA members in August 2015. If you are interested in serving your community in this way, please contact IMPOA president Roger Mattson at rdmattson@comcast.net to discuss the responsibilities and commitment necessary for appointment and, if the way be clear, to schedule an interview with the other directors.

IMPOA Board of Directors Contact Information

Name	Position	Term	Phone	e-Mail Address	Mailing Address
VACANT	Secretary	2014			
Karen Goodman	Treasurer	2015	303-912-1063	kkmbgl@comcast.net	PO Box 203 Como, CO 80432
Glenn Haas	Vice President	2015	970-498-9350	glennehaas@comcast.net	3403 Green Wing Ct. Fort Collins, CO 80524
Gail Lane	Membership Director	2016	719-836-3154	rgflane@centurylink.net	PO Box 32 Como, CO 80432
Roger Mattson	President	2016	303-278-1406	rdmattson@comcast.net	2511 Fossil Trace Ct. Golden, CO 80401
Kim Novitch	Director	2017	303-941-6190	oufunchick@hotmail.com	17079 E. 106th Way Commerce City CO80022
Fred Whitaker	Director	2017	719-836-1702	whitakerfc@gmail.com	PO Box 255 Como, CO 80432
Samantha Bertin	Business Manager	---	719-836-9043	cloudnineranch@hughes.net	---
IMPOA Contacts	---	---	IMPOA.net	IMPOA01@hotmail.com	PO Box 196 Jefferson, CO 80456

IMMD Board of Directors Contact Information

Name	Position	Phone	e-Mail Address	Mailing Address
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Glenn Haas	Secretary	970-498-9350	glennehaas@comcast.net	3403 Green Wing Ct Fort Collins, CO 80524
Louise Mark	Vice President	719-836-2481	lfmark43@gmail.com	PO Box 28 Como, CO 80432
Tom Odle	Treasurer	303-683-9812	thodle99@q.com	2855 Clairton Dr. Highlands Ranch, CO 80126
Susan Stoval	President	719-836-0138	stoval@peoplepc.com	PO Box 25 Como, CO 80432
Samantha Bertin	Business Manager	719-836-9043	indianmtn@hotmail.com	---
IMMD Contacts	---	indianmountain.info	indianmtn@hotmail.com	PO Box 25 Como, CO 80432

TRANSPARENCY NOTICE

Pursuant to State Law, IMMD needs to post a transparency notice, which lists the time and places for meetings and other information. The 2014 Transparency Notice may be viewed at <http://www.sdaco.org/transparency/>. Go to “search now” and look under the index at “I”. You may also view it on our website: indianmountain.info under “governance”. Any questions, call the IMMD business office: 719-836-9043 and talk to Samantha Bertin.