

RESOLUTION NO. 2017- 09
BOARD OF COUNTY COMMISSIONERS
OF RIO BLANCO COUNTY,
COLORADO

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
RIO BLANCO COUNTY, COLORADO, APPROVING THE WHITE RIVER ELECTRIC
ASSOCIATION LIMITED IMPACT REVIEW PLIR-0001-17 IN RIO BLANCO COUNTY,
COLORADO**

WHEREAS, White River Electric Association ("Applicant") is requesting a Limited Impact Review PLIR-0001-17, located on land owned by Clark White River Ranch, Inc., and Chad and Heather Woodruff, in Rio Blanco County, Colorado; and

WHEREAS, the subject property is located in Section 10, Township 1 South, 94 West, of the 6th Principal Meridian, specifically PIN # 162510400065 (Clark White River Ranch Inc.) and PIN# 162511300093 (Woodruff); and

WHEREAS, the Applicant has proposed to install a small hydro-electric plant utilizing the Miller Creek Ditch; and

WHEREAS, the Board has reviewed applicable Colorado Statutes, the Rio Blanco County Master Plan, the Rio Blanco County Land Use Regulation (LUR), the materials submitted by the Applicant, the materials submitted by members of the public at the public hearing held pursuant to notice duly given in Meeker, Colorado on February 21, 2017;

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF RIO BLANCO COUNTY, COLORADO FINDS AS FOLLOWS:

- A. The application is complete;
- B. The public hearing before the Board of County Commissioners was extensive and complete, pertinent facts, matters, and issues were submitted, and any interested parties were given an opportunity to be heard at the hearing;
- C. The record is complete;
- D. The proposed Limited Impact Review is in the best interests of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of Rio Blanco County.

THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF RIO BLANCO COUNTY, COLORADO:

- A. The White River Electric Association PLIR-0001-17 is hereby approved with the following conditions:
 - 1) All representations made by Applicant in the application shall be conditions of this approval, unless specifically altered by the Board of County Commissioners of Rio Blanco County, Colorado.
 - 2) The operation of the use shall be done in accordance with all applicable Federal, State and local regulations governing the operation of this type of use.
 - 3) Portable sanitary facilities must be provided and maintained on the site during construction.

4) Applicant will apply for all County permits, Building Division permits, and Road and Bridge permits, required for this project.

Additional Requirements if any:


- B. If any section, subsection, sentence, clause, phrase or portion of this Resolution is, for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution. The Board of County Commissioners of Rio Blanco County, Colorado declares that it would have adopted this Resolution and each section, subsection, sentence, clause, phrase, or portion herein, despite the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions would be declared invalid or unconstitutional.
- C. Approval of this Limited Impact Review constitutes approval of a site specific development plan which establishes a vested property right, as provided by §24-68-101 C.R.S., et.seq. This vested right is valid for a period of 3 years from the date of publication of this approval. The Planning Department of Rio Blanco County, Colorado, will publish notice of this approval and vested right in the Meeker Herald as soon as possible.

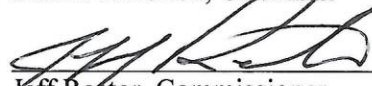
DULY MOVED, SECONDED, AND PASSED ON A VOTE OF 3 FOR AND 0 AGAINST, THIS 21 DAY OF FEBRUARY, 2017.

THE BOARD OF COUNTY COMMISSIONERS
OF RIO BLANCO COUNTY, COLORADO

ATTEST:


Boots Campbell
Clerk to the Board


Shawn J. Bolton, Chairman


Jeff Rector, Commissioner


Si Woodruff, Commissioner

