

**BOARD OF ASSESSMENT APPEALS,  
STATE OF COLORADO**

1313 Sherman Street, Room 315  
Denver, Colorado 80203

Docket No.: 70134, 70135,  
70136, 70137, 70138, 70139,  
70140, 70142

Petitioner:

**KINDER MORGAN CO2 CO., L.P.,**

v.

Respondent:

**MONTEZUMA COUNTY BOARD OF  
COMMISSIONERS.**

**ORDER**

**THIS MATTER** came before the Board of Assessment Appeals on February 12, 2019, Diane M. DeVries, Gregg Near and Debra A. Baumbach presiding. Petitioner was represented by Alan Poe, Esq. Respondent was represented by John Baxter, Esq.

This matter concerns leaseholds and lands identified by the following Schedule Numbers: O010561, O100451, O101544, O101545, O101546, O101547, O101549, O101550.

At the outset of the February 12, 2019 hearing, Petitioner requested the Board to dismiss Petitioner's appeals with respect to the 2010 valuation of the subject property.

**ORDER:**

Petitioner's appeals identified by Docket Numbers **70134, 70135, 70136, 70137, 70138, 70139, 70140, 70142** are dismissed with prejudice.

**APPEAL:**

If the decision of the Board is against Petitioner, Petitioner may petition the Court of Appeals for judicial review according to the Colorado appellate rules and the provisions of Section 24-4-106(11), C.R.S. (commenced by the filing of a notice of appeal with the Court of Appeals within forty-nine days after the date of the service of the final order entered).

If the decision of the Board is against Respondent, Respondent, upon the recommendation of the Board that it either is a matter of statewide concern or has resulted in a significant decrease in the total valuation for assessment of the county wherein the property is located, may petition the Court of Appeals for judicial review according to the Colorado appellate rules and the provision of Section 24-4-106(11), C.R.S. (commenced by the filing of a notice of appeal with the Court of Appeals within forty-nine days after the date of the service of the final order entered).

In addition, if the decision of the Board is against Respondent, Respondent may petition the Court of Appeals for judicial review of alleged procedural errors or errors of law when Respondent alleges procedural errors or errors of law by the Board.

If the Board does not recommend its decision to be a matter of statewide concern or to have resulted in a significant decrease in the total valuation for assessment of the county in which the property is located, Respondent may petition the Court of Appeals for judicial review of such questions.

Section 39-10-114.5(2), C.R.S.

**DATED and MAILED** this 30th day of April 2019.

**BOARD OF ASSESSMENT APPEALS**

*Diane DeVries*

\_\_\_\_\_  
Diane DeVries

*Debra A. Baumbach*

\_\_\_\_\_  
Debra Baumbach

*Gregg Near*

\_\_\_\_\_  
Gregg Near

I hereby certify that this is a true and correct copy of the decision of the Board of Assessment Appeals.

*Milla Lishchuk*  
\_\_\_\_\_  
Milla Lishchuk

