

BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203	Docket Number: 48560
Petitioner: SMITH ENERGY LP 1988, v. Respondent: MONTEZUMA COUNTY BOARD OF EQUALIZATION.	
ORDER ON WITHDRAWAL	

The Board received Petitioner's request to withdraw the above-captioned appeal on March 13, 2008. The Board has approved Petitioner's request.

FINDINGS OF FACT AND CONCLUSIONS:

1. Subject property is described as follows:

County Schedule No.: P100011+18

Category: Valuation Property Type: Oil and Gas
2. Petitioner is protesting the 2007 actual value of the subject property.

ORDER:

Petitioner's request for withdrawal is granted; therefore, the Board will take no further action on this matter.

DATED AND MAILED this 17th day of March 2008.

BOARD OF ASSESSMENT APPEALS

This decision was put on record

March 14, 2008

Karen E Hart

Karen E. Hart

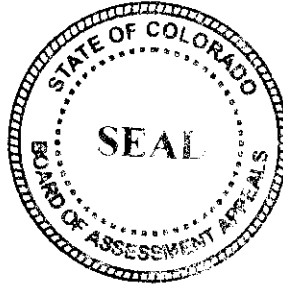
I hereby certify that this is a true and correct copy of the decision of the Board of Assessment Appeals.

Debra A. Baumbach

Debra A. Baumbach

Toni Rigiroszi

Toni Rigiroszi



Smith Oil & Gas Exploration Company

4305 South Division Street, Grand Rapids, Mi 49548 USA

Phone: 616-682-0004 Fax: 616-682-0941 E-Mail: emergingnaturalgas@comcast.net

Ms. Toni Rigiroszi
Administrative Assistant
Colorado Department of Local Affairs
Board of Assessment Appeals
1313 Sherman Street, Suite 315
Denver, Colorado 80203

Re: Board of Assessment Appeals Docket 48560

Dear Ms. Riziroszi,

Please be informed regarding the Case referenced above that Smith Energy LP 1988 will not be able to pursue its appeal of the unwarranted increase of assessment for the personal property taxes on equipment in the Cache Field located in Montezuma County, Colorado.

The increase in the County Assessor Tax Value that has been lowered down to US\$ 600,000 +/- is still way out of line for a 40 plus year oil field that consists of stripper oil wells with water injection wells. The Value Factor utilized by Mr. Jerry L. Wisdom of Visual Lease Services, Inc. for the leasehold equipment is very unrealistic for this oil field.

Although we would like to vigorously fight the increase in personal property taxes from 2006 to 2007 that represents more than an eight times increase in Personal Property Assessment Values and Taxes, it is not cost effective with the legal fees and exhibit witnesses that must be brought forth according to legal counsel who has been consulted with in regards to this matter.

The departure of the Montezuma County Board of Equalization from the Colorado State guidelines appears to be a conscious effort to find a way to increase the Tax Assessment Base for the County. Hopefully, the County will find a way in the future to find a fairer way to value personal property in the oil fields of Montezuma County than what it has done with the present consultant that has been utilized.

We appreciate your understanding the business decision that had to be made regarding this Tax Assessment matter.

Best Regards,

Charles A. Smith
President

STATE OF COLORADO
BOARD OF ASSESSMENT APPEALS
2008 MAR 13 PM 1:12

**BOARD OF ASSESSMENT APPEALS,
STATE OF COLORADO**
1313 Sherman Street, Room 315
Denver, Colorado 80203

Docket No.: 48560

Petitioner:

SMITH ENERGY LP 1988

v.

Respondent:

**MONTEZUMA COUNTY BOARD OF
EQUALIZATION.**

ORDER RESCINDING ORDER ON WITHDRAWAL

On March 17, 2008, in conjunction with a withdrawal letter received March 17, 2008, the Board of Assessment Appeals issued an Order on Withdrawal. On March 18, 2008, the Petitioner and Agent advised the Board that the withdrawal letter was sent in error by the Petitioner.

ORDER:

The Order on Withdrawal dated March 17, 2008 is hereby rescinded.

DATED and MAILED this 20th day of March, 2008.


This decision was put on the record


March 18, 2008

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


Toni Rigiroszi

BOARD OF ASSESSMENT APPEALS


Karen E. Hart


Debra A. Baumbach



Smith Oil & Gas Exploration Company

4305 South Division Street, Grand Rapids, Mi 49548 USA

Phone: 616-682-0004 Fax: 616-682-0941 E-Mail:emergingnaturalgas@comcast.net

Ms. Toni Rigirozzi
Administrative Assistant
Colorado Department of Local Affairs
Board of Assessment Appeals
1313 Sherman Street, Suite 315
Denver, Colorado 80203

Re: Board of Assessment Appeals Docket 48560

Dear Ms. Rizirozzi,

Please be informed that Smith Energy LP 1988 is rescinding its withdrawal of the Appeal of Assessment for the personal property taxes on equipment in the Cache Field located in Montezuma County, Colorado.

It is our understanding that the increase in the County Assessor Tax Value has been recommended to be lowered down to US\$ 694,000 +/- from the US\$ 983,000 +/- range. Although we still believe the drop in Assessed Value should be greater than this decrease for a 40 year plus oil field that consists of stripper oil wells with water injection wells, we will welcome any tax relief that can be given especially with the monstrous increase in personal property taxes that we have been hit with.

We appreciate your conveyance of our rescinding the withdrawal of our Appeal to Ms. Martha Anchando who has informed us of this matter and the Board of Assessment Appeals.

Best Regards,

Charles A. Smith
President

STATE OF COLORADO
BOARD OF ASSESSMENT APPEALS
2008 MAR 18 PM 3:33

BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO 1313 Sherman Street, Room 315 Denver, Colorado 80203	Docket Number: 48560
Petitioner: SMITH ENERGY LP 1988, v. Respondent: MONTEZUMA COUNTY BOARD OF EQUALIZATION.	
ORDER ON STIPULATION	

THE PARTIES TO THIS ACTION entered into a Stipulation, which has been approved by the Board of Assessment Appeals. A copy of the Stipulation is attached and incorporated as a part of this decision.

FINDINGS OF FACT AND CONCLUSIONS:

1. Subject property is described as follows:

County Schedule No.: P100011+18

Category: Valuation Property Type: Oil and Gas
2. Petitioner is protesting the 2007 actual value of the subject property.
3. The parties agreed that the 2007 actual value of the subject property should be reduced to:

Total Value: \$669,763
(Reference Attached Stipulation)
4. The Board concurs with the Stipulation.

ORDER:

Respondent is ordered to reduce the 2007 actual value of the subject property, as set forth above.

The Montezuma County Assessor is directed to change his/her records accordingly.

DATED AND MAILED this 19th day of May 2008.

BOARD OF ASSESSMENT APPEALS

This decision was put on record

May 16, 2008

Karen E Hart

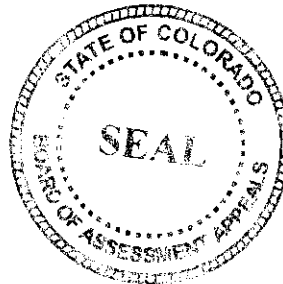
Karen E. Hart

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

Debra A Baumbach

Debra A. Baumbach

Toni Rigozzi
Toni Rigozzi



**BOARD OF ASSESSMENT APPEALS
STATE OF COLORADO**

Docket Number: 48560
Multiple County Schedule Numbers: (As Set Forth in the Attached)

STIPULATION (As to Abatement/Refund for Tax Year 2007)

Petitioner SMITH ENERGY LP 1988

vs.

MONTEZUMA COUNTY BOARD OF COMMISSIONERS,

Respondent.

2008 MAY 14 PM 2:38

Petitioner(s) and Respondent hereby enter into this Stipulation regarding the tax year 2007 valuation of the subject property, and jointly move the Board of Assessment Appeals to enter its order based on this stipulation.

Petitioner(s) and Respondent agree and stipulate as follows:

1. The Properties subject to this Stipulation are described as set forth in the County Schedule Numbers on the Attachments to this Stipulation.

2. The subject properties are classified as OIL & GAS PERSONAL PROPERTY (what type).

3. Attachment A reflects the actual values of the subject properties, as assigned by the Assessor for tax year 2007.

4. Attachment B reflects the actual values of the subject properties after a timely appeal, as assigned by the Board of Commissioners.

5. After further review and negotiation, the Petitioner(s) and Respondent agree to the tax year 2007 actual values of the subject properties, as shown on Attachment C.

6. The valuations, as established on Attachment C, shall be binding with respect to only tax year 2007.

7. Brief narrative as to why the reduction was made:

THE ORIGINAL ASSESSMENTS ERRONEOUSLY
INCLUDED THE VALUE OF CASINGS AND
TUBING. THE ADJUSTED VALUES CORRECT
THE OVER-VALUATION.

8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on 3/19/2008 (date) at 8:30 AM (time) be vacated or a hearing has not yet been scheduled before the Board of Assessment Appeals.

DATED this 21ST day of MARCH 2008

Petitioner(s) or Agent or Attorney

[Signature]
Agent
Address: 5/7/08
c/o VON Engineering Inc
3505 Pearl Dr
Monroe, ME 48162
Telephone: 734-289-4064

[Signature]
County Attorney for Respondent,
Board of Commissioners

Address: _____

Telephone: _____

Mark Vandepool
County Assessor
Mark Vandepool 5/12/2008
Address: 109 W. MAIN ST. ROOM 310
CORTEZ, CO. 81321
Telephone: 970-565-3428

Docket Number 48560

ATTACHMENT A

Actual Values as assigned by the Assessor

Docket Number 48560

<u>Schedule Number</u>	<u>Land Value</u>	<u>Improvement Value</u>	<u>Total Actual Value</u>
P100011	\$.00	\$.00	\$ 79,107 .00
P100012	\$.00	\$.00	\$ 37,266 .00
P100013	\$.00	\$.00	\$ 49,500 .00
P100014	\$.00	\$.00	\$ 71,558 .00
P100015	\$.00	\$.00	\$ 34,931 .00
P100016	\$.00	\$.00	\$ 51,428 .00
P100017	\$.00	\$.00	\$ 36,554 .00
P100018	\$.00	\$.00	\$ 70,252 .00
P100019	\$.00	\$.00	\$ 30,792 .00
P100020	\$.00	\$.00	\$ 41,639 .00
P100021	\$.00	\$.00	\$ 67,166 .00
P100022	\$.00	\$.00	\$ 90,950 .00
P100023	\$.00	\$.00	\$ 18,695 .00
P100024	\$.00	\$.00	\$ 43,797 .00
P100025	\$.00	\$.00	\$ 58,699 .00
P100026	\$.00	\$.00	\$ 72,474 .00
P100027	\$.00	\$.00	\$ 29,299 .00
P100028	\$.00	\$.00	\$ 35,374 .00
P100029	\$.00	\$.00	\$ 38,615 .00
	\$.00	\$.00	\$.00
	\$.00	\$.00	\$.00
	\$.00	\$.00	\$.00
	\$.00	\$.00	\$.00
TOTAL:	\$.00	\$.00	\$ 958,096 .00

ATTACHMENT B

Actual Values as assigned by the County Board of Commissioners after a timely appeal

Docket Number 48560

Schedule Number	Land Value	Improvement Value	Total Actual Value
P100011	\$.00	\$.00	\$ 79,107 .00
P100012	\$.00	\$.00	\$ 37,266 .00
P100013	\$.00	\$.00	\$ 49,500 .00
P100014	\$.00	\$.00	\$ 71,558 .00
P100015	\$.00	\$.00	\$ 34,931 .00
P100016	\$.00	\$.00	\$ 51,428 .00
P100017	\$.00	\$.00	\$ 36,554 .00
P100018	\$.00	\$.00	\$ 70,252 .00
P100019	\$.00	\$.00	\$ 30,792 .00
P100020	\$.00	\$.00	\$ 41,639 .00
P100021	\$.00	\$.00	\$ 67,166 .00
P100022	\$.00	\$.00	\$ 90,950 .00
P100023	\$.00	\$.00	\$ 18,695 .00
P100024	\$.00	\$.00	\$ 43,797 .00
P100025	\$.00	\$.00	\$ 58,699 .00
P100026	\$.00	\$.00	\$ 72,474 .00
P100027	\$.00	\$.00	\$ 29,299 .00
P100028	\$.00	\$.00	\$ 35,374 .00
P100029	\$.00	\$.00	\$ 38,615 .00
	\$.00	\$.00	\$.00
	\$.00	\$.00	\$.00
	\$.00	\$.00	\$.00
	\$.00	\$.00	\$.00
TOTAL:	\$.00	\$.00	\$ 958,096 .00

ATTACHMENT C
Actual Values as agreed to by all Parties

Docket Number 48560

<u>Schedule Number</u>	<u>Land Value</u>	<u>Improvement Value</u>	<u>Total Actual Value</u>
P100011	\$.00	\$.00	\$ 73,468 .00
P100012	\$.00	\$.00	\$ 25,619 .00
P100013	\$.00	\$.00	\$ 32,992 .00
P100014	\$.00	\$.00	\$ 47,300 .00
P100015	\$.00	\$.00	\$ 28,325 .00
P100016	\$.00	\$.00	\$ 37,294 .00
P100017	\$.00	\$.00	\$ 28,790 .00
P100018	\$.00	\$.00	\$ 39,089 .00
P100019	\$.00	\$.00	\$ 23,476 .00
P100020	\$.00	\$.00	\$ 30,463 .00
P100021	\$.00	\$.00	\$ 44,905 .00
P100022	\$.00	\$.00	\$ 90,950 .00
P100023	\$.00	\$.00	\$ 2,156 .00
P100024	\$.00	\$.00	\$ 28,237 .00
P100025	\$.00	\$.00	\$ 38,293 .00
P100026	\$.00	\$.00	\$ 53,682 .00
P100027	\$.00	\$.00	\$ 10,740 .00
P100028	\$.00	\$.00	\$ 15,341 .00
P100029	\$.00	\$.00	\$ 18,643 .00
	\$.00	\$.00	\$.00
	\$.00	\$.00	\$.00
	\$.00	\$.00	\$.00
	\$.00	\$.00	\$.00
TOTAL:	\$.00	\$.00	\$ 669,763 .00