

**SPECIAL WARRANTY DEED
(Water Rights)**

THIS DEED is made this ___ day of _____, 2021 between Jerry Lomax and Sharon Lomax, whose address is _____, Colorado Springs, CO _____ ("**Grantors**") and _____, whose address is _____, ("**Grantee**").

WITNESSETH, that the Grantors, in consideration of funds paid in hand and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey and confirm, unto the Grantee, its heirs and assigns forever, all right, title and interest in and to the water and water rights, ground water and ground water rights, associated with, appurtenant to or underlying that certain real property, located in the County of El Paso, State of Colorado, more particularly described as:

A parcel located in the SE $\frac{1}{4}$ of Section 15, Township 12 South, Range 65 West of the 6th P.M., El Paso County, Colorado, containing approximately 5.06 acres described on attached **EXHIBIT A**, known as Lot ____ of the Treasured Acres Farm Minor Subdivision, containing 5.06 acres, more or less.

Said water and water rights specifically include a pro-rata share of water issued by the Colorado Ground Water Commission for the Denver Basin aquifers with Determination Nos. 3668-BD (Dawson aquifer), 3667-BD (Denver aquifer), 3666 (Arapahoe aquifer), and 3665-BD (Laramie-Fox Hills aquifer), and all rights, obligations, and responsibilities included in the associated Replacement Plan 3668-BD, as issued by the Colorado Ground Water Commission on April 29, 2019. The water rights include, but are not limited to:

1. A pro-rata 33.33% share in the not-nontributary Dawson aquifer, in accordance with Determination No. 3668-BD, being 353.6 acre-feet of the total 1,060 acre-feet.
2. A pro-rata 33.33% share in the not-nontributary Denver aquifer, in accordance with Determination No. 3667-BD, being 276.3 acre-feet of the total 829 acre-feet.
3. A pro-rata 33.33% share in the nontributary Arapahoe aquifer, in accordance with Determination No. 3666-BD, being 212.6 acre-feet of the total 638 acre-feet.
4. A pro-rata 33.33% share in the nontributary Laramie-Fox Hills aquifer, in accordance with Determination No. 3665-BD, being 138.6 acre-feet of the total 416 acre-feet.

TOGETHER WITH all easements and rights-of-way appurtenant thereto, all and singular the hereditaments and appurtenances thereunto belonging, or in any ways appertaining, and the reversion and reversions, remainder and remainders, rents,

issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever, of Grantors, either in law or equity, of, in and to the Water Rights.

TO HAVE AND TO HOLD the said water rights above bargained and described with the appurtenances, unto the Grantee, its heirs and assigns forever. The Grantors, for itself, its heirs and personal representatives or successors, does covenant and agree that it shall and will warrant and forever defend the above-bargained water rights in the quiet and peaceable possession of the Grantee, its heirs and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the Grantors.

GRANTORS

Jerry Lomax

Sharon Lomax

County of El Paso)
) ss.
State of Colorado)

The foregoing SPECIAL WARRANTY DEED (Water Rights) was acknowledged before me this ____ day of _____, 2021 by Jerry Lomax and Sharon Lomax.

Witness my hand and official seal.

My commission expires _____.

[SEAL]

Notary Public