

**SPECIAL WARRANTY DEED
(Water Rights)**

THIS DEED is made this ____ day of ____, 20____ between 3405 Hay Creek, LLC, a Colorado limited liability company ("**Grantor**") and _____, whose address is _____, ("**Grantee**").

WITNESSETH, that the Grantor, in consideration of funds paid in hand and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does 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 portion of the water and water rights, groundwater and groundwater rights in the Denver Basin aquifers underlying the real property described more particularly on Attachment A, commonly referenced as "Lot ____ of Hidden Creek Estates", as created and described on that Plat recorded at Reception No. _____ in the records of the El Paso County Clerk and Recorder, specifically including the following groundwater rights:

Approximately 210 acre-feet of water in the not-nontributary Denver aquifer, or 0.7 annual acre-feet based on a 300-year aquifer life.

Such above-described amounts being portions of the water rights decreed in Case No. 2021CW3056 Water Court Division 2, and subject to any reservations of groundwater described in said decree.

These water rights conveyed, and the return flows therefrom, are intended to provide a 300-year water supply, and replacement during pumping, for each of the lots of the Hidden Creek Estates Subdivision. The water rights so conveyed and the return flows therefrom shall be appurtenant to each of the respective lots with which they are conveyed, shall not be separated from the transfer of title to the land, and shall not be separately conveyed, sold, traded, bartered, assigned, or encumbered in whole or in part for any other purpose. This special warranty deed does not include any warranty as to the quantity or quality of water conveyed, only as to the title to the described groundwater.

Any and all other groundwater rights in the Dawson, Denver, Arapahoe, and Laramie Fox Hills aquifer underlying the above described overlying land not deeded herein are expressly reserved by and to Grantor.

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 Grantor, either in law or equity, of, in and to the Water Rights.

My commission expires: _____