

**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; and

Approximately 68.5 acre-feet of water in the nontributary Arapahoe aquifer, being 1/5th of the total interest and obligation of the augmentation plan described by Water Court Decree 21CW3056; and

Approximately 162.2 acre-feet of water in the nontributary Laramie-Fox Hills aquifer, being 1/5th of the total interest and obligation of the augmentation plan described by Water Court Decree 21CW3056; and

Approximately 256.8 acre-feet of water in the nontributary Arapahoe aquifer, for Grantee’s personal use upon the overlying land, not subject to the post pumping depletion obligation of the augmentation plan described by Water Court Decree 21CW3056.

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.

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.

