

**COLORADO GROUND WATER COMMISSION
FINDINGS AND ORDER**

IN THE MATTER OF AN APPLICATION FOR A CHANGE OF TYPE OF USE OF A DETERMINATION OF WATER RIGHT

DETERMINATION NO.: 510-BD, AMENDMENT NO. 2

AQUIFER: LARAMIE-FOX HILLS

APPLICANT: GRANDVIEW RESERVE METROPOLITAN DISTRICT AND 4SITE INVESTMENTS, LLC

FINDINGS

In compliance with section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, Grandview Reserve Metropolitan District and 4Site Investments, LLC (together as "Applicant") submitted an application to the Colorado Ground Water Commission ("Commission") for a change of water right to change the allowed type of use of groundwater allocated under Determination of Water Right No. 510-BD. Based upon information provided by the Applicant and the records of the Division of Water Resources, the Commission finds as follows.

1. Pursuant to section 37-90-107(7) in a Findings and Order dated July 22, 2004, the Commission issued Determination of Water Right No. 510-BD to Four Way Ranch Partnership / Spring Creek LLC, which determined a right to an allocation of designated groundwater from the Laramie-Fox Hills Aquifer ("Aquifer"), summarized as follows.
 - a. The determination quantified an amount of groundwater from beneath 8,095 acres of overlying land, generally described as the W $\frac{1}{2}$ of Section 1; Sections 2 and 3; the E $\frac{1}{2}$, the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, and the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 4; the E $\frac{1}{2}$, a portion of the E $\frac{1}{2}$ of the W $\frac{1}{2}$, and the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 9, Sections 10 and 11; that part of Sections 12, 13, and 14, located northwest of the Highway 24 right-of-way; the NW $\frac{1}{4}$ and the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 15; most of the E $\frac{1}{2}$ of Section 16; the E $\frac{1}{2}$, a portion of the E $\frac{1}{2}$ of the NW $\frac{1}{4}$, and a portion of the SW $\frac{1}{4}$ of Section 21; that part of Sections 22, 23, and 27 located northwest of the Highway 24 right-of-way; the NE $\frac{1}{4}$ and a portion of the W $\frac{1}{2}$ of Section 28; a portion of the SE $\frac{1}{4}$ of Section 29; the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ and a portion of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 32; and that part of the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 33 located northwest of the Highway 24 right-of-way; all in Township 12 South, Range 64 West of the 6th P.M., in El Paso County, and more completely described in Exhibit A of that Findings and Order.
 - b. The allowed average annual amount of withdrawal shall not exceed 2,429 acre-feet per year, which based on an aquifer life of one hundred years results in an amount of groundwater allocated of 242,900 acre-feet (subject to adjustment by the Commission to conform to actual local aquifer characteristics).
 - c. The allowed types of beneficial uses of the groundwater are domestic, livestock watering, lawn irrigation, commercial, industrial, and replacement supply.
 - d. The allowed place of use of the groundwater is the 8,095 acres of overlying land as described in the Findings and Order dated July 22, 2004.

Change of Type of Use

Aquifer: Laramie-Fox Hills

Applicant: Grandview Reserve Metropolitan District and 4Site Investments, LLC

2. Pursuant to section 37-90-107(7) in a Findings and Order dated December 3, 2008, the Commission approved a change of type and place of use for Determination of Water Right No. 510-BD to Spring Creek LLC and Four Way Ranch General Partnership, summarized as follows.
 - a. The allowed types of beneficial uses of the groundwater are domestic, livestock watering, lawn irrigation, commercial, industrial, replacement, augmentation and municipal use by the Four-Way Ranch Metropolitan District and the Woodman Hills Metropolitan District.
 - b. The allowed place of use of the groundwater is the 8,095 acres of overlying land and the service area of the Woodman Hills Metropolitan District within the Upper Black Squirrel Creek Designated Groundwater Basin.
3. The subject groundwater is designated groundwater within the boundaries of the Upper Black Squirrel Creek Designated Groundwater Basin, and within the Upper Black Squirrel Creek Ground Water Management District. The Commission has jurisdiction.
4. By an application for change of determination of water right received by the Commission on February 3, 2022, the Applicant has requested to change the allowed type of use of 1,312.5 acre-feet per year based on a 100-year aquifer life, or 131,250 acre-feet of water total, consisting of a portion of the groundwater allocated in the determination, to add the following use: all municipal purposes by the Grandview Reserve Metropolitan District No. 1 including: domestic, agricultural, stock watering, irrigation, commercial, industrial, manufacturing, fire protection, power generation, wetlands, piscatorial, and wildlife, either directly or after storage.
 - a. The currently allowed uses would remain as allowed uses.
 - b. The Grandview Reserve Metropolitan District No. 1 is within the currently allowed place of use of the 8,095 acres of overlying land of Determination of Water Right no. 510-BD, and so the application does not request a change in the allowed place of use.
5. The Applicant has provided evidence of ownership of 1,312.5 acre-feet per year based on a 100-year aquifer-life, or 131,250 acre-feet total, of Determination of Water Right no. 510-BD, Exhibit A of this Findings and Order.
6. In accordance with section 37-90-107(8), C.R.S., and the Designated Basin Rules, on July 21, 2022 the application was referred to the Upper Black Squirrel Creek Ground Water Management District for written recommendations. No written recommendations were received from the District.
7. In accordance with section 37-90-107(7)(c)(II) and section 37-90-112(1), C.R.S., the requested change was published in the Ranchland News newspaper on July 28, 2022 and August 4, 2022. No objections to the proposed change were received within the time limit set by statute.
8. No material injury to the vested water rights of other appropriators would result from the approval of the requested change in water right subject to the conditions in the following Order.

ORDER

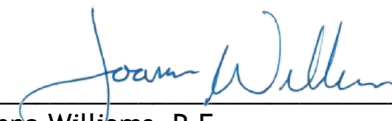
In accordance with section 37-90-107(7), C.R.S. and the Designated Basin Rules the Commission orders that the allowed type of use of 1,312.5 acre-feet per year based on a 100-year aquifer life, or 131,250 acre-feet of water total, consisting of a portion of the groundwater allocated in Determination of Water Right No. 510-BD, is hereby changed subject to the following conditions.

9. The type of use of the groundwater is limited to the following:
 - a. domestic, livestock watering, lawn irrigation, commercial, industrial, replacement, augmentation and municipal use by the Four-Way Ranch Metropolitan District and the Woodman Hills Metropolitan District; and
 - b. all municipal purposes by the Grandview Reserve Metropolitan District No. 1 including: domestic, agricultural, stock watering, irrigation, commercial, industrial, manufacturing, fire protection, power generation, wetlands, piscatorial, and wildlife, either directly or after storage.
10. The Commission's Findings and Orders dated July 22, 2004 and December 3, 2008 for Determination of Water Right No. 510-BD are hereby amended to incorporate the above change. All other terms and conditions in those Findings and Order shall remain in full force and effect.
11. A copy of this Findings and Order shall be recorded by the Applicant in the public records of the county in which the 8,095 acres of overlying land of the determination is located to that a title examination of that overlying land, or any part thereof, shall reveal the existence of this Findings and Order.
12. Any existing wells with well permits issued pursuant to this determination for which the permitted type or place of use does not conform to the currently allowed type and place of use of the determination must apply for and obtain new permits for uses that are in conformance with the determination.

Dated this 26th day of September, 2022



Kevin G. Rein, P.E.
Executive Director
Colorado Ground Water Commission

By: 
Joanna Williams, P.E.
Chief of Water Supply, Designated Basins

SPECIAL WARRANTY DEED
Water Rights

THIS SPECIAL WARRANTY DEED dated March 31, 2022 between JMJK Holdings, LLC, a Colorado Limited Liability Company, whose address is 3855 Ambrosia Street, Suite 304, Castle Rock, CO 80109 ("Grantor"), and, 4Site Investments, LLC, a Colorado limited liability company ("Grantee").

WITNESS, that the Grantor, for and in consideration of good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell convey and confirm unto the Grantee, its heirs, successors and assigns forever, the Grantor's water and water rights as specifically described in the attached **Exhibit A**, lying and being in the County of El Paso and State of Colorado ("Water Rights"), and underlying Grantor's real property described in **Exhibit A**. Grantor, for itself, its heirs, successors and assigns, grants and conveys to Grantee, its heirs, successors and assigns, the right to withdraw the Water Rights herein conveyed, and consents to such withdrawal. Grantor expressly retains any and all water rights not specifically described in the attached **Exhibit A**, including as may be associated with or appurtenant to property of the Grantor.

TOGETHER, with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the Grantor, either in law or equity, of, in and to the above-described water rights, with the hereditaments and appurtenances;

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 Grantor, for itself, its heirs, personal representatives, successors and assigns 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 Grantor, but not otherwise.

IN WITNESS WHEREOF, the Grantor has executed this Special Warranty Deed on the date set forth above.

(remainder of page intentionally blank, signature follows)

GRANTOR, ~~JMJK Holdings, LLC:~~



Michael Slattery, Manager

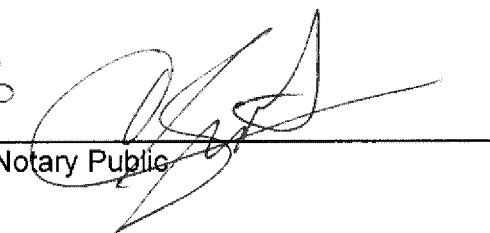
STATE OF Colorado)
) ss.
COUNTY OF Douglas)

TERESA GALLEGOS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20184004387
MY COMMISSION EXPIRES JANUARY 29, 2026

Acknowledged before me this 31 day of March, 2022 by Michael Slattery, as
Manager of JMJK Holdings, LLC, a Colorado limited liability company.

Witness my hand and official seal.

My Commission expires: 01/29/2026



Notary Public

EXHIBIT A
WATER RIGHTS and OVERLYING LAND

All following described water and water rights, groundwater and ground water rights, and rights to withdraw, extract and use ground water within the Laramie-Fox Hills aquifer of the Denver Basin and as related to, used upon, underlying or appurtenant to the real property more specifically described below ("Overlying Land"), as quantified and determined by the July 22, 2004 Colorado Ground Water Commission Findings and Orders in Determination No. 510-BD, recorded at Reception No. 204153947 and, as amended December 3, 2008, recorded at Reception No. 208130576 of the El Paso County Clerk and Recorder's Office ("Ground Water Determination"). Said water and water rights expressly include the following Laramie-Fox Hills aquifer groundwater rights:

Nontributary Groundwater in the Laramie-Fox Hills aquifer as quantified and determined by the Colorado Ground Water Commission ("GWC") in Determination No. 510-BD, as amended, totaling 131,250 acre feet, or 1,312.5 annual acre-feet based upon a 100-year aquifer life.

This conveyance is subject to the terms and provisions of the above-described Groundwater Determination and there is no warranty or guaranty of the quantity or quality of the groundwater to be produced from the respective aquifers. All other water and groundwater rights, including but not limited to that of other Denver Basin aquifers, underlying, associated with, or appurtenant to the following described real property, is expressly reserved by Grantor. Said Overlying Land is more specifically described as follows:

Township 12 South, Range 64 West of the 6th P.M., El Paso County, State of Colorado

Section 1: W $\frac{1}{2}$;

Section 2: ALL;

Section 3: ALL; excepting those portions conveyed to El Paso County in Deeds recorded in Book 2116 at Page 991 and in Book 2749 at Page 686;

Section 4: SE $\frac{1}{4}$, NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$;

Section 9: N $\frac{1}{2}$ NW $\frac{1}{4}$, that portion of the S $\frac{1}{2}$ NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ lying East of the County Road adjoining the Right-of-Way of the Colorado and Southern Railway on the West, E $\frac{1}{2}$;

Section 10: ALL;

Section 11: ALL;

Section 12: N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, that portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying North and West of the Chicago, Rock Island, and Pacific Railroad Right-of-Way;

Section 13: All that portion lying North and West of the Chicago, Rock Island, and Pacific Railroad Right-of-Way;

Section 14: SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, N $\frac{1}{2}$, that portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying North and West of the Chicago, Rock Island, and Pacific Railroad Right-of-Way;

Section 15: NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$;

Section 16: All that portion lying East of said County Road, excepting therefrom that portion thereof conveyed to Mountain View Electric Association, Inc. by Deed recorded June 27, 2003 at Reception No. 203145788;

- Section 21: NE $\frac{1}{4}$, that portion of the NW $\frac{1}{4}$ lying East of said County Road;
- Section 22: N $\frac{1}{2}$, that portion of the E $\frac{1}{2}$ SE $\frac{1}{4}$ lying Northwest of the Right-of-Way of the Chicago, Rock Island, and Pacific Railroad;
- Section 23: N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$ except that portion conveyed in Warranty Deed recorded in Book 2579 at Page 861, and except that portion conveyed to El Paso County in Deed recorded in Book 842 at Page 356, and except any portion found to be lying within the Right-of-Way of the Chicago, Rock Island, and Pacific Railroad.

**COLORADO GROUND WATER COMMISSION
FINDINGS AND ORDER**

IN THE MATTER OF AN APPLICATION FOR A CHANGE OF TYPE OF USE OF A DETERMINATION OF WATER RIGHT

DETERMINATION NO.: 511-BD, AMENDMENT NO. 2

AQUIFER: ARAPAHOE

APPLICANT: GRANDVIEW RESERVE METROPOLITAN DISTRICT

FINDINGS

In compliance with section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, Grandview Reserve Metropolitan District (“Applicant”) submitted an application to the Colorado Ground Water Commission (“Commission”) for a change of water right to change the allowed type of use of groundwater allocated under Determination of Water Right No. 511-BD. Based upon information provided by the Applicant and the records of the Division of Water Resources, the Commission finds as follows.

1. Pursuant to section 37-90-107(7) in a Findings and Order dated July 22, 2004, the Commission issued Determination of Water Right No. 511-BD to Four Way Ranch Partnership / Spring Creek LLC, which determined a right to an allocation of designated groundwater from the Arapahoe Aquifer (“Aquifer”), summarized as follows.
 - a. The determination quantified an amount of groundwater from beneath 8,095 acres of overlying land, generally described as the W $\frac{1}{2}$ of Section 1; Sections 2 and 3; the E $\frac{1}{2}$, the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, and the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 4; the E $\frac{1}{2}$, a portion of the E $\frac{1}{2}$ of the W $\frac{1}{2}$, and the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 9, Sections 10 and 11; that part of Sections 12, 13, and 14, located northwest of the Highway 24 right-of-way; the NW $\frac{1}{4}$ and the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 15; most of the E $\frac{1}{2}$ of Section 16; the E $\frac{1}{2}$, a portion of the E $\frac{1}{2}$ of the NW $\frac{1}{4}$, and a portion of the SW $\frac{1}{4}$ of Section 21; that part of Sections 22, 23, and 27 located northwest of the Highway 24 right-of-way; the NE $\frac{1}{4}$ and a portion of the W $\frac{1}{2}$ of Section 28; a portion of the SE $\frac{1}{4}$ of Section 29; the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ and a portion of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 32; and that part of the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 33 located northwest of the Highway 24 right-of-way; all in Township 12 South, Range 64 West of the 6th P.M., in El Paso County, and more completely described in Exhibit A of that Findings and Order.
 - b. The allowed average annual amount of withdrawal shall not exceed 2,615 acre-feet per year, which based on an aquifer life of one hundred years results in an amount of groundwater allocated of 261,500 acre-feet (subject to adjustment by the Commission to conform to actual local aquifer characteristics).
 - c. The allowed types of beneficial uses of the groundwater are domestic, livestock watering, lawn irrigation, commercial, industrial, and replacement supply.
 - d. The allowed place of use of the groundwater is the 8,095 acres of overlying land as described in the Findings and Order dated July 22, 2004.

Change of Type of Use

Aquifer: Arapahoe

Applicant: Grandview Reserve Metropolitan District

2. Pursuant to section 37-90-107(7) in a Findings and Order dated December 3, 2008, the Commission approved a change of type and place of use for Determination of Water Right No. 511-BD to Spring Creek LLC and Four Way Ranch General Partnership, summarized as follows.
 - a. The allowed types of beneficial uses of the groundwater are domestic, livestock watering, lawn irrigation, commercial, industrial, replacement, augmentation and municipal use by the Four-Way Ranch Metropolitan District and the Woodman Hills Metropolitan District.
 - b. The allowed place of use of the groundwater is the 8,095 acres of overlying land and the service area of the Woodman Hills Metropolitan District within the Upper Black Squirrel Creek Designated Groundwater Basin.
3. The subject groundwater is designated groundwater within the boundaries of the Upper Black Squirrel Creek Designated Groundwater Basin, and within the Upper Black Squirrel Creek Ground Water Management District. The Commission has jurisdiction.
4. By an application for change of determination of water right received by the Commission on February 3, 2022, the Applicant has requested to change the allowed type of use of 1,400 acre-feet per year based on a 100-year aquifer life, or 140,000 acre-feet of water total, consisting of a portion of the groundwater allocated in the determination, to add the following use: all municipal purposes by the Grandview Reserve Metropolitan District No. 1 including: domestic, agricultural, stock watering, irrigation, commercial, industrial, manufacturing, fire protection, power generation, wetlands, piscatorial, and wildlife, either directly or after storage.
 - a. The currently allowed uses would remain as allowed uses.
 - b. The Grandview Reserve Metropolitan District No. 1 is within the currently allowed place of use of the 8,095 acres of overlying land of Determination of Water Right no. 511-BD, and so the application does not request a change in the allowed place of use.
5. The Applicant has provided evidence of ownership of 1,400 acre-feet per year based on a 100-year aquifer-life, or 140,000 acre-feet total, of Determination of Water Right no. 511-BD, Exhibit A of this Findings and Order.
6. In accordance with section 37-90-107(8), C.R.S., and the Designated Basin Rules, on July 21, 2022 the application was referred to the Upper Black Squirrel Creek Ground Water Management District for written recommendations. No written recommendations were received from the District.
7. In accordance with section 37-90-107(7)(c)(II) and section 37-90-112(1), C.R.S., the requested change was published in the Ranchland News newspaper on July 28, 2022 and August 4, 2022. No objections to the proposed change were received within the time limit set by statute.
8. No material injury to the vested water rights of other appropriators would result from the approval of the requested change in water right subject to the conditions in the following Order.

Change of Type of Use

Aquifer: Arapahoe

Applicant: Grandview Reserve Metropolitan District

ORDER

In accordance with section 37-90-107(7), C.R.S. and the Designated Basin Rules the Commission orders that the allowed type of use of 1,400 acre-feet per year based on a 100-year aquifer life, or 140,000 acre-feet of water total, consisting of a portion of the groundwater allocated in Determination of Water Right No. 511-BD, is hereby changed subject to the following conditions.

9. The type of use of the groundwater is limited to the following:
 - a. domestic, livestock watering, lawn irrigation, commercial, industrial, replacement, augmentation and municipal use by Four-Way Ranch Metropolitan District and the Woodman Hills Metropolitan District; and
 - b. all municipal purposes by the Grandview Reserve Metropolitan District No. 1 including: domestic, agricultural, stock watering, irrigation, commercial, industrial, manufacturing, fire protection, power generation, wetlands, piscatorial, and wildlife, either directly or after storage.
10. The Commission's Findings and Orders dated July 22, 2004 and December 3, 2008 for Determination of Water Right No. 511-BD are hereby amended to incorporate the above change. All other terms and conditions in those Findings and Order shall remain in full force and effect.
11. A copy of this Findings and Order shall be recorded by the Applicant in the public records of the county in which the 8,095 acres of overlying land of the determination is located to that a title examination of that overlying land, or any part thereof, shall reveal the existence of this Findings and Order.
12. Any existing wells with well permits issued pursuant to this determination for which the permitted type or place of use does not conform to the currently allowed type and place of use of the determination must apply for and obtain new permits for uses that are in conformance with the determination.

Dated this 26th day of September, 2022



Kevin G. Rein, P.E.
Executive Director
Colorado Ground Water Commission

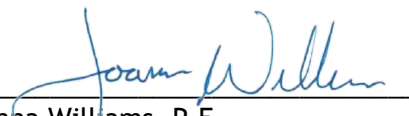
By: 
Joanna Williams, P.E.
Chief of Water Supply, Designated Basins

Exhibit A

Determination No. 511-BD, Amdt No. 2

Evidence of Water Rights Ownership

Page 1 of 6

222020228

PGS 6

2/10/2022 9:05 AM

\$38.00 DF \$0.00

Electronically Recorded Official Records El Paso County CO

Chuck Broerman, Clerk and Recorder

TD1000 N

RCVD DWR

07/01/2022

**This is the corrected Deed and replaces the prior
Special Warranty Deed recorded on December
10, 2021 under Reception No. 221225486.**

SPECIAL WARRANTY DEED Water Rights

THIS SPECIAL WARRANTY DEED dated February 9th, 2022 between 4 SITE INVESTMENTTS, LLC, a Colorado limited liability company ("Grantor"), and GRANDVIEW RESERVE METROPOLITAN DISTRICT 1, a quasi-municipal corporation and political subdivision of the State of Colorado, whose address is 1271 Kelly Johnson Boulevard, Ste. 100, Colorado Springs, CO 80920 ("Grantee").

WITNESS, that the Grantor, for and in consideration of good and valuable consideration the receipt and sufficiency of which is 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, the ground water, rights to extract ground water, and ground water rights, being in the County of El Paso, State of Colorado, described as follows:

140,000 acre-feet of groundwater based on a 100-year supply, or an average of 1,400 acre-feet annually, of nontributary groundwater in the Arapahoe aquifer underlying the land described in **Exhibit A**, and as determined by the Colorado Ground Water Commission in the Findings and Order of Determination No. 511-BD dated July 22, 2004, and recorded with the El Paso County Clerk and Recorder's Office on September 10, 2004, Reception No. 204153948, all as quantified in and subject to the terms and provisions of said Groundwater Determination No. 511-BD.

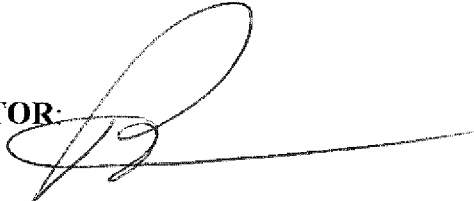
TOGETHER, with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the Grantor, either in law or equity, of, in and to the above-described water rights, with the hereditaments and appurtenances;

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 Grantor, for itself, its heirs, personal representatives, successors and assigns do 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 Grantor, but not otherwise.

IN WITNESS WHEREOF, the Grantors have executed this Special Warranty Deed on the date set forth above.

(Signatures to follow)

GRANTOR:

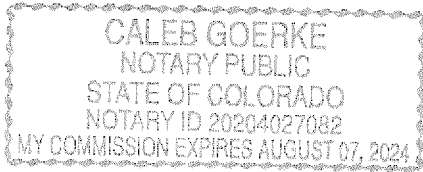



Paul Howard as Manager of 4 Site Investments LLC

STATE OF COLORADO)
) ss.
COUNTY OF EL PASO)

The foregoing instrument was acknowledged before me this 9th day of Feburary, 2022, by Paul Howard as Manager of 4 Site Investments LLC.

Witness my hand and official seal.





Notary Public

Exhibit A

PARCEL A:

A TRACT OF LAND BEING A PORTION OF THE SOUTH HALF OF SECTION 21, THE SOUTH HALF OF SECTION 22, THE NORTH HALF OF SECTION 28 AND SECTION 27, TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE EAST LINE OF SECTION 21, BEING MONUMENTED AT THE SOUTHEAST CORNER BY A 3-1/4" ALUMINUM SURVEYOR'S CAP STAMPED "PS INC PLS 30087 1996", BEING APPROPRIATELY MARKED, AND BEING MONUMENTED AT THE NORTHEAST CORNER BY A 3-1/4" ALUMINUM SURVEYOR'S CAP STAMPED "PS INC PLS 30087 1996", BEING APPROPRIATELY MARKED, BEING ASSUMED TO BEAR NORTH 00 DEGREES 52 MINUTES 26 SECONDS WEST, A DISTANCE OF 5290.17 FEET.

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 21; THENCE NORTH 00 DEGREES 52 MINUTES 26 SECONDS WEST ON THE EAST LINE OF SAID SECTION, A DISTANCE OF 2645.09 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 21, SAID POINT BEING THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 41 MINUTES 08 SECONDS EAST ON THE NORTH LINE OF THE SOUTH HALF OF SAID SECTION 22, A DISTANCE OF 3938.18 FEET; THENCE SOUTH 00 DEGREES 41 MINUTES 58 SECONDS EAST ON THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 22, A DISTANCE OF 2117.68 FEET TO A POINT ON THE NORTHWESTERLY RIGHT OF WAY LINE OF THE ROCK ISLAND REGIONAL TRAIL AS GRANTED TO EL PASO COUNTY IN THAT WARRANTY DEED RECORDED OCTOBER 21, 1994 IN BOOK 6548 AT PAGE 892, RECORDS OF EL PASO COUNTY, COLORADO; THENCE ON SAID NORTHWESTERLY RIGHT OF WAY, THE FOLLOWING FIVE (5) COURSES:

- (1) SOUTH 45 DEGREES 55 MINUTES 49 SECONDS WEST, A DISTANCE OF 758.36 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 22;
- (2) NORTH 89 DEGREES 38 MINUTES 06 SECONDS EAST ON SAID SOUTH LINE, A DISTANCE OF 36.18 FEET;
- (3) SOUTH 45 DEGREES 55 MINUTES 49 SECONDS WEST, A DISTANCE OF 3818.92 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 27;
- (4) SOUTH 89 DEGREES 39 MINUTES 01 SECONDS WEST ON SAID NORTH LINE, A DISTANCE OF 36.17 FEET;
- (5) SOUTH 45 DEGREES 55 MINUTES 49 SECONDS WEST, A DISTANCE OF 855.95 FEET TO A POINT ON THE EASTERLY LINE OF SAID SECTION 28;

THENCE NORTH 00 DEGREES 21 MINUTES 45 SECONDS WEST ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 28, A DISTANCE OF 591.16 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 00 DEGREES 21 MINUTES 38 SECONDS WEST ON THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 28, A DISTANCE OF 1319.24 FEET TO THE SOUTH LINE OF THE NORTH HALF OF SAID SECTION 28; THENCE NORTH 89 DEGREES 47 MINUTES 08 SECONDS WEST ON SAID SOUTH LINE, A DISTANCE OF 4892.55 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF EXISTING EASTONVILLE ROAD (60.00 FOOT WIDE); THENCE ON SAID EASTERLY RIGHT OF WAY AS DEFINED BY CERTIFIED BOUNDARY SURVEY, AS RECORDED JULY 18, 2001 UNDER RECEPTION NO. 201900096, THE FOLLOWING FIVE (5) COURSES:

- (1) ON THE ARC OF A CURVE TO THE LEFT, WHOSE CENTER BEARS NORTH 04 DEGREES 31 MINUTES 28 SECONDS EAST, HAVING A DELTA OF 24 DEGREES 31 MINUTES 32 SECONDS, A RADIUS OF 1630.00 FEET, A DISTANCE OF 697.73 FEET TO A POINT OF TANGENT;
- (2) NORTH 07 DEGREES 40 MINUTES 18 SECONDS WEST, A DISTANCE OF 777.34 FEET TO A POINT OF CURVE;
- (3) ON THE ARC OF A CURVE TO THE RIGHT, HAVING A DELTA OF 39 DEGREES 01 MINUTES 10 SECONDS, A RADIUS OF 1770.00 FEET, A DISTANCE OF 1205.40 FEET TO A POINT OF TANGENT;
- (4) NORTH 31 DEGREES 20 MINUTES 52 SECONDS EAST, A DISTANCE OF 1517.97 FEET TO A POINT OF CURVE;
- (5) ON THE ARC OF A CURVE TO THE LEFT, HAVING A DELTA OF 02 DEGREES 07 MINUTES 03 SECONDS, A RADIUS OF 1330.00 FEET, A DISTANCE OF 49.15 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF SAID SECTION 21;

THENCE SOUTH 89 DEGREES 50 MINUTES 58 SECONDS EAST ON SAID NORTH LINE, A DISTANCE OF 3635.53 FEET TO THE POINT OF BEGINNING;

EXCEPT THAT PORTION CONVEYED IN DEED RECORDED AUGUST 24, 2005 AT RECEPTION NO. 205132124;

AND EXCEPT A PORTION OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE NORTHERLY LINE OF SECTION 28, TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING MONUMENTED AT THE NORTHWEST CORNER AND THE NORTHEAST CORNER BY A 3-1/4" ALUMINUM CAP STAMPED "PS INC 1996 PLS 30087", BEING ASSUMED TO BEAR SOUTH 89 DEGREES 47 MINUTES 04 SECONDS EAST A DISTANCE OF 5285.07 FEET.

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 28; THENCE SOUTH 29 DEGREES 17 MINUTES 14 SECONDS

EAST, A 1315.12 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 58 MINUTES 12 SECONDS EAST, A DISTANCE OF 288.62 FEET; THENCE SOUTH 41 DEGREES 03 MINUTES 22 SECONDS WEST, A DISTANCE OF 139.03 FEET; THENCE SOUTH 41 DEGREES 52 MINUTES 38 SECONDS WEST, A DISTANCE OF 21.11 FEET; THENCE SOUTH 44 DEGREES 47 MINUTES 01 SECONDS WEST, A DISTANCE OF 42.37 FEET; THENCE SOUTH 89 DEGREES 47 MINUTES 08 SECONDS EAST, A DISTANCE OF 679.35 FEET; THENCE SOUTH 00 DEGREES 12 MINUTES 52 SECONDS WEST, A DISTANCE OF 25.00 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH HALF OF SAID SECTION 28; THENCE NORTH 89 DEGREES 47 MINUTES 08 SECONDS WEST AND ON THE SOUTH LINE OF THE NORTH HALF OF SAID SECTION 28, A DISTANCE OF 934.84 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF EASTONVILLE ROAD AS RECORDED IN THE EL PASO COUNTY RECORDS JULY 18, 2001 UNDER RECEPTION NO. 201900096, SAID POINT BEING A POINT ON CURVE; THENCE ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS NORTH 73 DEGREES 08 MINUTES 46 SECONDS WEST HAVING A DELTA OF 06 DEGREES 19 MINUTES 02 SECONDS, A RADIUS OF 1630.00 FEET, A DISTANCE OF 179.72 FEET TO THE POINT OF BEGINNING.

PARCEL B:

A TRACT OF LAND BEING A PORTION OF THE SOUTH HALF OF SECTION 21 AND A PORTION OF THE NORTH HALF OF SECTION 28, TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE EAST LINE OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE SOUTHEAST CORNER BY A 3-1/4" ALUMINUM SURVEYORS CAP STAMPED ACCORDINGLY, PLS 30087, AND BEING MONUMENTED AT THE NORTHEAST CORNER BY A 3-1/4" ALUMINUM SURVEYORS CAP STAMPED ACCORDINGLY, PLS 30087, BEING ASSUMED TO BEAR N00°52'26"W, A DISTANCE OF 5290.17 FEET.

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO;

THENCE N00°52'26"W, A DISTANCE OF 2645.09 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 21;

THENCE N89°50'58"W ON THE NORTH LINE OF THE SOUTH HALF OF SAID SECTION 21, A DISTANCE OF 1109.51 FEET TO THE POINT OF BEGINNING;

THENCE S00°09'02"W, A DISTANCE OF 3962.55 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH HALF OF THE NORTH HALF OF SECTION 28;

THENCE N89°47'08"W ON SAID SOUTH LINE, A DISTANCE OF 2589.15 FEET;

THENCE N00°12'52"E, A DISTANCE OF 25.00 FEET;

THENCE N89°47'08"W ON A LINE THAT IS 25.00 FEET NORTHERLY OF AND PARALLEL TO SAID SOUTH LINE, A DISTANCE OF 679.35 FEET;

THENCE N44°47'01"W, A DISTANCE OF 42.37 FEET;

THENCE N41°52'38"E, A DISTANCE OF 21.11 FEET;

THENCE N41°08'22"E, A DISTANCE OF 139.03 FEET;

THENCE S89°58'12"W, A DISTANCE OF 288.62 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF EXISTING EASTONVILLE ROAD (60.00 FEET WIDE);

THENCE ALONG THE EASTERLY RIGHT OF WAY LINE OF EASTONVILLE ROAD AS DEFINED BY CERTIFIED BOUNDARY SURVEY AS RECORDED JULY 18, 2001 UNDER RECEPTION NO. 201900096 OF THE RECORDS OF EL PASO COUNTY, COLORADO THE FOLLOWING FIVE (5) COURSES:

1. ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 18°12'30", A RADIUS OF 1630.00 FEET, A LENGTH OF 518.00 FEET, WHOSE CHORD BEARS N01°25'57"E WITH A DISTANCE OF 515.83 FEET TO A POINT OF TANGENT;
2. N07°40'18"W, A DISTANCE OF 777.34 FEET TO A POINT OF CURVE;
3. ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 39°01'10", A RADIUS OF 1770.00 FEET FOR A LENGTH OF 1206.40 FEET TO A POINT OF TANGENT;
4. N31°20'52"E, A DISTANCE OF 1517.37 FEET TO A POINT OF CURVE;
5. ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 02°07'03", A RADIUS OF 1330.00 FEET FOR A LENGTH OF 49.15 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF SAID SECTION 21;

THENCE S89°50'58"E ON SAID NORTH LINE, A DISTANCE OF 2526.02 FEET TO THE POINT OF BEGINNING.

PARCEL C:

A TRACT OF LAND BEING A PORTION OF THE SOUTH HALF OF SECTION 22 AND A PORTION OF SECTION 27, TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE EAST LINE OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE SOUTHEAST CORNER BY A 3-1/4" ALUMINUM SURVEYORS CAP STAMPED ACCORDINGLY, PLS 30087, AND BEING MONUMENTED AT THE NORTHEAST CORNER BY A 3-1/4" ALUMINUM SURVEYORS CAP STAMPED ACCORDINGLY, PLS 30087, BEING ASSUMED TO BEAR N00°52'26"W, A DISTANCE OF 5290.17 FEET.

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO;

THENCE N00°52'26"W, A DISTANCE OF 2845.09 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 21;

THENCE N89°41'03" ON THE NORTH LINE OF THE SOUTH HALF OF SAID SECTION 22, A DISTANCE OF 701.60 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE N89°41'03"E ON SAID NORTH LINE, A DISTANCE OF 3236.58 FEET;

THENCE S00°41'58"E ON THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 22, A DISTANCE OF 2117.66 FEET TO A POINT ON THE NORTHWESTERLY RIGHT OF WAY LINE OF THE ROCK ISLAND REGIONAL TRAIL AS GRANTED TO EL PASO COUNTY IN THAT WARRANTY DEED RECORDED OCTOBER 21, 1994 IN BOOK 6548 AT PAGE 892 OF THE RECORDS OF EL PASO COUNTY, COLORADO;

THENCE ON SAID NORTHWESTERLY RIGHT OF WAY THE FOLLOWING FIVE (5) COURSES:

1. S45°55'49"W, A DISTANCE OF 758.36 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 22;
2. N89°38'08"E, A DISTANCE OF 36.18 FEET;
3. S45°55'49"W, A DISTANCE OF 8618.92 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 27;
4. S89°38'01"W ON SAID NORTH LINE, A DISTANCE OF 36.17 FEET;
5. S45°55'49"W, A DISTANCE OF 344.32 FEET TO THE NORTHEASTERLY CORNER OF A PARCEL OF LAND AS RECORDED UNDER RECEPTION NO. 205132124 OF SAID RECORDS;

THENCE N72°01'49"W ON THE NORTH LINE OF SAID PARCEL, A DISTANCE OF 289.16 TO THE NORTHWESTERLY CORNER OF SAID PARCEL AND BEING A POINT ON THE EASTERLY LINE OF SAID SECTION 28;

THENCE N00°21'45"W ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 28, A DISTANCE OF 115.65 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER;

THENCE N00°21'38"W ON THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 28, A DISTANCE OF 1319.24 TO THE SOUTH LINE OF THE NORTH HALF OF THE NORTH HALF OF SAID SECTION 28;

THENCE S89°47'08"E, A DISTANCE OF 642.53 FEET;

THENCE N00°09'02"E, A DISTANCE OF 3870.28 FEET TO THE POINT OF BEGINNING.