

Brett Louk

From: Posorski, Pawel(Contractor-GFR) <PPosorski@geico.com>
Sent: Friday, May 31, 2024 10:51 AM
To: Brett Louk
Subject: FW: Ivilo Heights Subdivision
Attachments: Special warranty Deed for water rights.doc; Water Covenants Comments 2024.5.30 scr final.docx

Brett,

Please see attached and explanation below.

Be Well,



Pawel Posorski

Local Agent | GEICO Colorado Springs
3515 North Chestnut St
(719) 960-5490
geico.com/CO-Springs-Posorski



Sensitivity: Company-Internal

From: Stacey Rogers <stacey@mastinlaw.com>
Sent: Friday, May 31, 2024 10:42 AM
To: Posorski, Pawel(Contractor-GFR) <PPosorski@geico.com>
Subject: RE: Ivilo Heights Subdivision

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Pawel,

The county's comments and edits confused the quantities of vested water rights from the quantities allowed to be withdrawn pursuant to the augmentation plan.

The vested water rights are higher numbers. The augmentation plan allows withdrawal of a lesser number than the full amount of what is owned. The county wants to make sure that those amounts are higher than their minimum numbers, which they are. In 2.A where we are talking about total vested water rights, the county inserted a mix of the vested amounts and the augmented amounts, which is not apples to apples. There are 480 total acre-feet in vested rights in Dawson, of which 420 is allowed to be withdrawn. The 396 number she inserted was therefore 84 acre feet short on the Dawson aquifer, so there would be 84 stray acre-feet out there if you only reserved 396 to the subdivision.

I've edited to clarify with a table what vested water rights exist in the decree and the division to go to each lot. That table is the vested water rights, not the augmented withdrawal rights. The augmentation plan/withdrawal rights are in 2.B, 2.C, and 2.D.

I've also attached a draft deed for the water rights, which shows how much of the vested rights and how much of the augmentation plan withdrawal rights will go to each lot. Those do meet county minimums for 300 year use. (The lots each have 240 acre feet total and a withdrawal right through the allowed well of .66 acre feet/year. 66 acre-feet/year *300 years =198 acre feet, which is the minimum.)

Hope you're well!

Stacey



Stacey C. Rogers

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Sensitivity: Company-Internal

From: Posorski, Pawel(Contractor-GFR) <PPosorski@geico.com>

Sent: Tuesday, May 28, 2024 11:40 AM

To: Stacey Rogers <stacey@mastinlaw.com>

Subject: FW: Ivilo Heights Subdivision

Hello Stacey,

Hope all is well. Please see the message from my land engineer below and the ret lines from the county.

Can you make the necessary changes this week or early next?

Be Well,



Pawel Posorski

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