

SPECIAL WARRANTY DEED
(Water Rights)

THIS DEED is made this _____ day of _____, 20__ between POWROY FAMILY LIVING TRUST, whose address is 2295 Old Ranch Road, Colorado Springs, Colorado 80908 (“Grantor”), and _____ (“Grantee”).

WITNESS, that the Grantor, for and 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 does grant, bargain, sell, convey and confirm unto the Grantee, its heirs and assigns forever, all right, title and interest in and to the following described water and water rights located in the County of El Paso, State of Colorado described as follows:

A portion of Grantor’s right, title and interest in and to the groundwater rights and rights to extract groundwater decreed in Case No. 24CW3039, District Court, Water Division 2, recorded in El Paso County Clerk and Recorder’s Office Reception No. 225030523 in order to serve the real property located in El Paso County, Colorado, located in the NW1/4 of Section 28, Township 12 South, Range 66 West of the 6th P.M., described as Lot 2, Powers Ranch Subdivision containing a total of approximately 3.10 acres. Such portion of groundwater rights and rights to extract groundwater are as follows:

128 acre-feet total from the Denver aquifer with an allowed usage of up to 0.40 acre-feet per year for 300 years pursuant to and subject of the terms and conditions and the plan for augmentation decreed in Case No. 24CW3039, District Court, Water Division 2;

232 acre-feet total (no more than 2.32 acre-feet per year based on a 100-year aquifer life) from the Arapahoe aquifer pursuant to and subject of the terms and conditions decreed in Case No. 24CW3039, District Court, Water Division 2 with such Arapahoe aquifer water not subject of the plan for augmentation decreed in Case No. 24CW3039, District Court, Water Division 2 as such plan for augmentation is for the Arapahoe aquifer well on Lot 2 of Powers Ranch Subdivision;

112.86 acre-feet (no more than 1.1286 acre-feet per year based on a 100-year aquifer life) from the Laramie-Fox Hills aquifer pursuant to and subject of the terms and conditions decreed in Case No. 24CW3039, District Court, Water Division 2 with all such Laramie-Fox Hills water reserved for post-pumping replacement obligations pursuant to the plan for augmentation decreed in Case No. 24CW3039, District Court, Water Division 2; and

Proportional and commensurate interest in the plan for augmentation decreed in Case No. 24CW3039, District Court, Water Division 2, along with Lot 1, Powers Ranch Subdivision.

TOGETHER WITH all easements and rights-of-way appurtenant thereto, 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 Grantor, either in law or equity, of, in and to the above bargained premises.

SPECIAL WARRANTY DEED
(Water Rights)

THIS DEED is made this _____ day of _____, 20__ between POWROY FAMILY LIVING TRUST, whose address is 2295 Old Ranch Road, Colorado Springs, Colorado 80908 ("Grantor"), and _____ ("Grantee").

WITNESS, that the Grantor, for and 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 does grant, bargain, sell, convey and confirm unto the Grantee, its heirs and assigns forever, all right, title and interest in and to the following described water and water rights located in the County of El Paso, State of Colorado described as follows:

A portion of Grantor's right, title and interest in and to the groundwater rights and rights to extract groundwater decreed in Case No. 24CW3039, District Court, Water Division 2, recorded in El Paso County Clerk and Recorder's Office Reception No. 225030523 in order to serve the real property located in El Paso County, Colorado, located in the NW1/4 of Section 28, Township 12 South, Range 66 West of the 6th P.M., described as Lot 1, Powers Ranch Subdivision containing a total of approximately 7.58 acres. Such portion of groundwater rights and rights to extract groundwater are as follows:

232 acre-feet total from the Arapahoe aquifer with an allowed usage of up to 0.65 acre-feet per year for 300 years (195 acre-feet total) pursuant to and subject of the terms and conditions and plan for augmentation in decreed in Case No. 24CW3039, District Court, Water Division 2 with the remaining 37 acre-feet not subject of the plan for augmentation decreed in Case No. 24CW3039, District Court, Water Division 2;

184.14 acre-feet (no more than 1.8414 acre-feet per year based on a 100-year aquifer life) from the Laramie-Fox Hills aquifer pursuant to and subject of the terms and conditions decreed in Case No. 24CW3039, District Court, Water Division 2 with all such Laramie-Fox Hills water reserved for post-pumping replacement obligations pursuant to the plan for augmentation decreed in Case No. 24CW3039, District Court, Water Division 2; and

Proportional and commensurate interest in the plan for augmentation decreed in Case No. 24CW3039, District Court, Water Division 2, along with Lot 2, Powers Ranch Subdivision.

TOGETHER WITH all easements and rights-of-way appurtenant thereto, 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 Grantor, either in law or equity, of, in and to the above bargained premises.

TO HAVE AND TO HOLD the said water rights to divert, apply, extract and use the water and groundwater rights above bargained and described, with the appurtenances, unto the Grantee, its heirs and assigns forever. The Grantor, 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 Grantor.

GRANTOR

Powroy Family Living Trust
By: Mark S. Powers, Trustee

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

The foregoing SPECIAL WARRANTY DEED (Water Rights) was acknowledged before me this ____ day of _____, 20__ by Mark S. Powers, as Trustee for the Powroy Family Living Trust.

Witness my hand and official seal.

My commission expires_____.

Notary Public

[SEAL]

GRANTOR

Powroy Family Living Trust
By: Lisa K. Powers, Trustee

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

The foregoing SPECIAL WARRANTY DEED (Water Rights) was acknowledged before me this ____ day of _____, 20__ by Lisa K. Powers, as Trustee for the Powroy Family Living Trust.

Witness my hand and official seal.

My commission expires_____.

Notary Public

[SEAL]