

**COLORADO GROUND WATER COMMISSION
FINDINGS AND ORDER**

IN THE MATTER OF AN APPLICATION FOR DETERMINATION OF WATER RIGHT TO
GROUND WATER IN THE UPPER BLACK SQUIRREL CREEK DESIGNATED GROUND
WATER BASIN

DETERMINATION NO.: 3343-BD

AQUIFER: Laramie-Fox Hills

APPLICANT: Angel E. Cordero Jr.

In compliance with Section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, Angel E. Cordero Jr. (hereinafter "Applicant") submitted an application for determination of water right to designated ground water from the Laramie-Fox Hills Aquifer.

FINDINGS

1. The application was received by the Colorado Ground Water Commission on May 31, 2016.
2. The Applicant requests a determination of right to designated ground water in the Laramie-Fox Hills Aquifer (hereinafter "Aquifer") underlying 35.55 acres, generally described as part of the SE1/4 of the NE1/4 of Section 1, Township 14 South, Range 63 West of the 6th Principal Meridian, in El Paso County. According to a signed Ownership Statement dated April 26, 2016, attached hereto as Exhibit A, the Applicant owns the 35.55 acres of land, which are further described in said Ownership Statement (hereinafter "Overlying Land"), and claims control of the right to the ground water in the Aquifer underlying this land (hereinafter "Underlying Ground Water").
3. The Overlying Land is located within the boundaries of the Upper Black Squirrel Creek Designated Ground Water Basin and within the Upper Black Squirrel Creek Ground Water Management District. The Colorado Ground Water Commission (hereinafter "Commission") has jurisdiction over the ground water that is the subject of this Determination.
4. The Commission Staff has evaluated the application relying on the claims to control of the Underlying Ground Water in the Aquifer made by the Applicant.
5. The Applicant intends to apply the Underlying Ground Water to the following beneficial uses: domestic, landscape irrigation, domestic animals, replacement. The Applicant's proposed place of use of the Underlying Ground Water is the above described 35.55 acres of overlying land.
6. The application requests the maximum allowable annual amount of Underlying Ground Water from beneath the Overlying Land.

7. The quantity of water in the Aquifer underlying the 35.55 acres of Overlying Land claimed by the applicant is 1,040 acre-feet. This determination was based on the following as specified in the Designated Basin Rules:
 - a. The average specific yield of the saturated permeable material of the Aquifer beneath the Overlying Land that could yield a sufficient quantity of water that may be extracted and applied to beneficial use is 15 percent.
 - b. The average thickness of the saturated permeable material of the Aquifer beneath the Overlying Land that could yield a sufficient quantity of water that may be extracted and applied to beneficial use is 195 feet.
8. Pursuant to Section 37-90-107(7)(a), C.R.S., and in accordance with the Designated Basin Rules, the Commission shall allocate the underlying ground water based on ownership of the overlying land and an aquifer life of one hundred years. Should the entire quantity of underlying ground water identified above be available for allocation, the allowed average annual amount of withdrawal from the Aquifer that could be allocated from beneath the Overlying Land would be 10.4 acre-feet per year.
9. A review of the records in the Office of the State Engineer has disclosed that none of the Underlying Ground Water in the Aquifer beneath the Overlying Land has been previously allocated or permitted for withdrawal.
10. Pursuant to Section 37-90-107(7)(c)(III), C.R.S., an approved determination of water right shall be considered a final determination of the amount of ground water so determined; except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes.
11. The ability of wells permitted to withdraw the authorized amount of water from this non-renewable Aquifer may be less than the one hundred years upon which the amount of water in the Aquifer is allocated, due to anticipated water level declines.
12. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that withdrawal of ground water from the Aquifer underlying the land claimed by the Applicant will not, within one hundred years, deplete the flow of a natural stream or its alluvial aquifer at an annual rate greater than one-tenth of one percent of the annual rate of withdrawal and, therefore, the Underlying Ground Water is nontributary ground water as defined in Rule 4.2.19 of the Designated Basin Rules. Pursuant to the Rules, no more than 98% of the amount of the Underlying Ground Water withdrawn annually shall be consumed.
13. On July 12, 2016, in accordance with Rule 9.1 of the Designated Basin Rules, a letter was sent to the Upper Black Squirrel Creek Ground Water Management District requesting written recommendations concerning this application. No written recommendations from the district were received.

14. In accordance with Sections 37-90-107(7)(c)(II) and 37-90-112, C.R.S., the application was published in the Ranchland News newspaper on July 21 and July 28, 2016. No objections to the application were received within the time limit set by statute.

ORDER

In accordance with Section 37-90-107(7), C.R.S., and the Designated Basin Rules, the Colorado Ground Water Commission orders that the application for determination of right to designated ground water in the Laramie-Fox Hills Aquifer underlying 35.55 acres of land, generally described as part of the SE1/4 of the NE1/4 of Section 1, Township 14 South, Range 63 West of the 6th Principal Meridian, further described in Exhibit A, is approved subject to the following conditions:

15. The allowed average annual amount of withdrawal of Underlying Ground Water from the Aquifer shall not exceed 10.4 acre-feet.
16. The total volume of Underlying Ground Water that may be withdrawn from the Aquifer pursuant to this Determination of Water Right shall not exceed 1,040 acre-feet.
17. The Commission may adjust the total volume and the allowed average annual amount of withdrawal of Underlying Ground Water that may be withdrawn from the Aquifer to conform to actual Aquifer characteristics based on analysis of geophysical logs or other site-specific data if such analysis indicates that the initial estimate of the amount of Underlying Ground Water in the Aquifer was incorrect.
18. The allowed maximum annual amount of withdrawal may exceed the allowed average annual amount of withdrawal as long as the total volume of Underlying Ground Water withdrawn does not exceed the product of the number of years since the date of approval of this determination times the allowed average annual amount of withdrawal.
19. The Applicant may pump the allowed average annual amount of withdrawal and the allowed maximum annual amount of withdrawal from one or more wells of a well field in any combination, so long as the total combined withdrawal of the wells does not exceed the amounts described in this Order.
20. No more than 98% of the allowed amount of Underlying Ground Water withdrawn annually shall be consumed. The Commission may require well owners to demonstrate periodically that no more than 98% of the underlying ground water withdrawn is being consumed.
21. The use of the allowed amount of Underlying Ground Water from this allocation shall be limited to the following beneficial uses: domestic, landscape irrigation, domestic animals, replacement. The place of use shall be limited to the above described 35.55 acres of Overlying Land. The ground water right determined herein is located within the Upper Black Squirrel Creek Ground Water Management District where local District rules apply which may further limit the withdrawal and use of the subject designated ground water.

22. Approval of this determination meets the requirements of Section 37-90-107(7)(d)(II) that requires a determination of ground water be made prior to the granting of a well permit pursuant to Section 37-90-107(7).
23. Wells withdrawing the allowed amount of Underlying Ground Water allocated herein are subject to the following conditions:
 - a. The wells must be located on the above described 35.55 acres of Overlying Land.
 - b. No well shall be located within 600 feet of any existing large-capacity well in the same Aquifer unless a Waiver of Claim of Injury is obtained from the owner of the existing well or unless the Commission, after a hearing, finds that circumstances in a particular instance warrant that a well may be permitted without regard to this limitation.
 - c. The wells must be constructed to withdraw water from only the Laramie-Fox Hills Aquifer.
 - d. The entire depth of each well must be geophysically logged prior to installing the casing as set forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.
 - e. A totalizing flow meter or other Commission approved measuring device shall be installed on each well and maintained in good working order by the well owner. Annual diversion records shall be collected and permanently maintained by the well owner and submitted to the Commission and the Upper Black Squirrel Creek Ground Water Management District upon request.
 - f. The well shall be marked in a conspicuous place with this determination number, the well permit number, and the name of the Aquifer. The well owner shall take necessary means and precautions to preserve these markings.
24. A copy of this Findings and Order shall be recorded by the Applicant in the public records of the county in which the Overlying Land is located so that a title examination of the above described 35.55 acres of Overlying Land area, or any part thereof, shall reveal the existence of this determination.
25. The ground water right determined herein is a vested property right with specific ownership. The ground water right may be transferred independent of the land under which the right originated. Any action taken that is intended to convey, transfer, and/or sell the subject water right shall explicitly identify this Determination of Water Right number, the specific aquifer, and the annual volume (based on a 100-year aquifer life) or total volume of ground water that is being conveyed.

Determination No.: 3343-BD
Aquifer: Laramie-Fox Hills
Applicant: Angel E. Cordero Jr.

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Dated this 12th day of October, 2016.

Dick Wolfe

Dick Wolfe, P.E.
Executive Director
Colorado Ground Water Commission

By: Keith Vander Horst

Keith Vander Horst, P.E.
Designated Basins Team Leader

Prepared by: NSM
F&O3343-BD.doc

OFFICE OF THE STATE ENGINEER
DIVISION OF WATER RESOURCES
1313 Sherman St, Room 821, Denver, CO 80203
Phone (303) 866-3581, Fax (303) 866-2223, www.state.co.us

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NONTRIBUTARY GROUND WATER LANDOWNERSHIP STATEMENTAQUIFER: Laramine-Fox Hills

I (we) Angel Emilio Cordero Jr
claim and say that I (we) am (are) the owner(s) of the following described property consisting of
35.55 acres in the County of El Paso, State of Colorado,
as evidenced by the attached copy of a deed, recorded in the county (or counties) in which the
land is located. (insert the property's legal description)

**A TRACT OF LAND LOCATED IN THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1,
TOWNSHIP 14 SOUTH, RANGE 63 WEST OF THE 6TH PM., EL PASO COUNTY, COLORADO MORE
PARTICULARLY DESCRIBED AS FOLLOWS;**

**THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 1, EXCEPTING THEREFROM THE
NORTHERLY 65 FEET THEREOF AND ALSO EXCEPTING THE FOLLOWING TRACT OF LAND
DESCRIBED AS FOLLOWS;**

**BEGINNING AT A POINT ON THE EAST LINE OF SAID SECTION 1 FROM WHENCE THE EAST 1/4 OF
SAID SECTION 1 BEARS S 00°52'33" E, A DISTANCE OF 565.14 FEET; THENCE N 84°01'36" W, A
DISTANCE OF 565.14 FEET; THENCE S 00°41'01" E, A DISTANCE OF 251.53 FEET; THENCE N 88°24'07"
E, A DISTANCE OF 562.00 FEET TO THE EAST LINE OF SAID SECTION 1; THENCE ALONG THE EAST
LINE OF SAID SECTION 1 N 00°52'33" W, A DISTANCE OF 177.05 FEET TO THE POINT OF BEGINNING.**

I (we) further claim and say that the right to withdraw the ground water in the aquifer underlying
the above described land has not been reserved by another, nor has consent been given to
another for the right to its withdrawal.

NOTE: A completed "Nontributary Landownership or Consent Verification of Notice" form
(GWS-43) must also be provided for all applications submitted pursuant to C.R.S. 37-90-
137(4) outside of a Designated Ground Water Basin.

Further, I (we) claim and say that I (we) have read the statement made herein; know the
contents thereof; and that the same are true to my (our) knowledge. Pursuant to Section 24-4-
104(13)(a), C.R.S., the making of false statements herein constitutes perjury in the second
degree and is punishable as a Class 1 misdemeanor.


Signature

26 April 2016
Date

Signature

Date

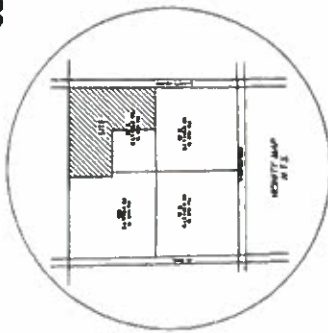
.....
Type or print neatly in black ink. This form may be reproduced by photocopy or word
processing means. See additional instructions on back.

*BOUNDARY SURVEY PLAT
A PORTION OF SECTION 1, TOWNSHIP 14
SOUTH, RANGE 63 WEST OF THE 6TH P.M.
ELPASO COUNTY, COLORADO*

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STATE COL
ST. LOUIS, MO.

03/21/13



A TRACT OF LAND LOCATED IN THE NORTH ½ OF SECTION 1, TOWNSHIP 16 SOUTH, RANGE 63 WE
NORTH 34TH N.M., EL PASO COUNTY, COLORADO, DESCRIBED AS FOLLOWS:
SAYING TOGETHER WITH THE EASTERLY 120 FEET OF GOVERNMENT LOTS 3 AND
TOGETHER AS PART OF THE SOUTHWEST ¼ OF THE NORTHEAST ¼ OF SAID SECTION 1.

APPLICATING THE NEW 3-2-1 MODEL

[illegible]

2000/25 1999/21/25

THE UNDERSIGNED RESPECTED PROFESSIONAL LAND SURVEYOR
REGISTERED IN THE STATE OF COLORADO HEREBY STATE AND ATTEST
THAT THE MAP AND SURVEY DATED 1974 OF THE CROWNED EARTH TRACT
AND THE CROWNED EARTH TRACT, 2001 ACRES, LOCATED IN THE
DISTINGUISHED CASE OF PROFESSIONAL LAND SURVEYING IN
THE STATE OF COLORADO ACCORDING TO THE ACCURACY OF THE
LAND AND WATER-RESOURCES ACT AND THE REQUIREMENTS OF THE
STATE OF COLORADO AS SET FORTH IN 1974 AS AMENDED HAVE
BEEN LET TO THE BEST OF MY KNOWLEDGE AND BELIEF

ROBERT F. MURPHY, A.S. #1225
ON 11 FEBRUARY, MARCH 1, 2005
FOR AND ON BEHALF OF MURPHY, INC.

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MAY 31 1966
U.S. DEPT. OF JUSTICE

UNIVERSITY OF SOUTHERN CALIFORNIA

DEPOSITED THE 21st DAY OF TRIARCH 1912 A.D. AT 12:12
O'CLOCK P.M. IN BOOK 0565-17 PAGE 108
RECORDS OF THE COUNTY CLERK AND RECORDS OF H. PAGE

RECEIVED
JUN 18 1964
U.S. DEPT. OF JUSTICE

EDWARDS ONE EIGHT THREE THREE
THREE THREE THREE THREE THREE

LEGEND

• AIRPORT CHARGE
 • RENTAL CAR
 • MEET AND GREET

BASES OF READING:

1

[illegible]

BOUNDARY SURVEY
A PORTION OF THE NORTH 1/2 S. 1 T. 14 S. R. 61 W. 6TH P.M.
EL PASO COUNTY, STATE OF COLORADO

EXHIBIT A
3343-BD
Page 2 of 2

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**APPLICATION FOR DETERMINATION OF WATER RIGHT
WITHIN A DESIGNATED GROUND WATER BASIN
PURSUANT TO SECTION 37-90-107(7), C.R.S.**

Please note: This application may only be used to apply for a determination of rights to ground water from the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifer underlying land areas located within a Designated Ground Water Basin. Review the instructions on the reverse of this form. This form must be completed, signed, dated and submitted to the Ground Water Commission with a non-refundable \$60 filing fee. A separate form must be used for each aquifer determination. Type or print in black ink.

1. APPLICANT INFORMATION	
Name of Applicant Angel E Cordero Jr	
Applicant Mailing Address 2020 N Ellicott Hwy Calhan CO 80808	
Applicant Telephone Number (include area code) 719-425-5071	
2. AMOUNT OF OVERLYING LAND – the total land area claimed and described by the applicant in Item #8 below, consisting of 35.55 acres.	3. AQUIFER Laramie-Fox Hills
4. EXISTING WELLS – Are there any wells located on the claimed and described overlying land? Yes <u>X</u> No <u> </u> If yes, provide a complete list of all wells located on the overlying land area as an attachment to this application.	
5. ANNUAL AMOUNT OF GROUND WATER – to be withdrawn, for intended beneficial uses, from the aquifer underlying the described land area claimed by the applicant in Item #8 below. Please specify one of the following: <input checked="" type="checkbox"/> Maximum allowable annual acre-feet <input type="checkbox"/> <u> </u> acre-feet annually <input type="checkbox"/> Maximum allowable annual acre-feet, excluding <u> </u> acre-feet from that amount	
6. USE OF GROUND WATER – description of intended beneficial uses of the ground water to be withdrawn from the aquifer Domestic, Landscape Irrigation, Domestic animals, Replacement	
7. PLACE OF USE – of the ground water shall be considered to be that overlying land area claimed and described by the applicant in Item #8 below, unless a legal description or accurate scale map is provided which describes an alternate/additional place of use.	
8. REQUIRED LANDOWNERSHIP DOCUMENTATION - The Ground Water Commission shall allocate ground water from the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifer on the basis of ownership of overlying land. For this reason, a Nontributary Ground Water Landownership Statement (form GWS-1) or Nontributary Ground Water Consent Claim (form GWS-48), including a description of the overlying land area subject to this determination, must be submitted as an attachment to the application.	
9. SIGNATURE OF APPLICANT - must be original signature – The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof, and state that they are true to my knowledge. Signature  Date <u>26 April 2016</u> - print name and title Mr. Angel E Cordero Jr, Owner	

FOR OFFICE USE ONLY

Transaction # 3674358 A
Date 4/26/2016 2:15:38 PM
Transaction Total: \$180.00
CHECK #24954040 \$180.00

DIV 8 CO

WD 10 BASIN 4 MD 12



COLORADO

Division of Water Resources

Department of Natural Resources
1313 Sherman Street, Room 821
Denver, CO 80203

May 23, 2016

Angel E. Cordero Jr.
2020 N Ellicott Hwy
Calhan, CO 80808

Re: Determination of Water Right and Approval of a Replacement Plan Applications, Receipt Nos. 3674366A, 3674366B, 3674367A, 3674367B, Laramie-Fox Hills and Arapahoe Aquifers

Dear Angel,

Your application is being returned. You have submitted and paid for the same replacement plan twice pursuant to the determination of water right for the Laramie-Fox Hills and Arapahoe aquifers. Laramie-Fox Hills is nontributary and does not require a replacement plan.

If you want this office to process the application, please re-submit your application without the document with receipt no. 3674366B to this office to my attention. Be advised that the above applications for Determination of Water Right and Approval of a Replacement Plan must be received in this office in a complete form, with all required documentation, no later than August 23, 2016, or the application will be considered inactive and withdrawn. If the application is received after that date, it will be considered a new application and will require the appropriate filing fees.

Please contact me by at Neelha.Mudigonda@state.co.us or 303-866-3581 x8206 with any questions.

Sincerely,

Neelha Mudigonda
Water Resource Engineer
Designated Basins Branch



CHUCK BROERMAN

El Paso County, CO

02/11/2015 04:44:52 PM

Doc \$0.00 Page

Rec \$86.00 1 of 16

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After Recording Return To
CALIBER HOME LOANS, INC. ATTN: POST FUNDING
3701 REGENT BLVD., SUITE 200
IRVING, TX 75063

#1602728

[Space Above This Line For Recording Data]

Loan Number 2228169715

VA Case Number 39-39-6-1056647

MERS Number 100820922281697152

DEED OF TRUST

NOTICE: THIS LOAN IS NOT ASSUMABLE WITHOUT THE APPROVAL OF THE DEPARTMENT OF VETERANS AFFAIRS OR ITS AUTHORIZED AGENT.

DEFINITIONS

Words used in multiple sections of this document are defined below and other words are defined in Sections 3, 11, 13, 18, 20 and 21. Certain rules regarding the usage of words used in this document are also provided in Section 16

- (A) "Security Instrument" means this document, which is dated **FEBRUARY 02, 2015**, together with all Riders to this document.
- (B) "Borrower" is **ANGEL EMILIO CORDERO JR.** Borrower is the trustor under this Security Instrument.
- (C) "Lender" is **CALIBER HOME LOANS, INC.** Lender is a **CORPORATION** organized and existing under the laws of **DELAWARE** Lender's address is **3701 REGENT BLVD., SUITE 200, IRVING, TX 75063**
- (D) "Trustee" is the Public Trustee of **EL PASO** County, Colorado.
- (E) "MERS" is Mortgage Electronic Registration Systems, Inc MERS is a separate corporation that is acting solely as a nominee for Lender and Lender's successors and assigns. MERS is the beneficiary under this Security Instrument. MERS is organized and existing under the laws of Delaware, and has an address and telephone number of P.O. Box 2026, Flint, MI 48501-2026, tel. (888) 679-MERS.
- (F) "Note" means the promissory note signed by Borrower and dated **FEBRUARY 02, 2015** The Note states that Borrower owes Lender **TWO HUNDRED TWENTY-FIVE THOUSAND AND 00/100THS** Dollars (U.S \$225,000.00) plus interest Borrower has promised to pay this debt in regular Periodic Payments and to pay the debt in full not later than **FEBRUARY 01, 2045**.
- (G) "Property" means the property that is described below under the heading "Transfer of Rights in the Property"
- (H) "Loan" means the debt evidenced by the Note, plus interest, any prepayment charges and late charges due under the Note, and all sums due under this Security Instrument, plus interest
- (I) "Riders" means all Riders to this Security Instrument that are executed by Borrower. The following Riders are to be executed by Borrower [check box as applicable].



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- | | | |
|--|---|--|
| <input type="checkbox"/> Adjustable Rate Rider | <input type="checkbox"/> Condominium Rider | <input type="checkbox"/> Second Home Rider |
| <input type="checkbox"/> Balloon Rider | <input type="checkbox"/> Planned Unit Development Rider | <input type="checkbox"/> Biweekly Payment Rider |
| <input type="checkbox"/> 1-4 Family Rider | <input checked="" type="checkbox"/> V.A. Rider | <input type="checkbox"/> Manufactured Home Rider |
| <input type="checkbox"/> Leasehold Rider | <input type="checkbox"/> Revocable Trust Rider | |

(J) "Applicable Law" means all controlling applicable federal, state and local statutes, regulations, ordinances and administrative rules and orders (that have the effect of law) as well as all applicable final, non-appealable judicial opinions.

(K) "Community Association Dues, Fees, and Assessments" means all dues, fees, assessments and other charges that are imposed on Borrower or the Property by a condominium association, homeowners association or similar organization

(L) "Electronic Funds Transfer" means any transfer of funds, other than a transaction originated by check, draft, or similar paper instrument, which is initiated through an electronic terminal, telephonic instrument, computer, or magnetic tape so as to order, instruct, or authorize a financial institution to debit or credit an account. Such term includes, but is not limited to, point-of-sale transfers, automated teller machine transactions, transfers initiated by telephone, wire transfers, and automated clearinghouse transfers.

(M) "Escrow Items" means those items that are described in Section 3.

(N) "Miscellaneous Proceeds" means any compensation, settlement, award of damages, or proceeds paid by any third party (other than insurance proceeds paid under the coverages described in Section 5) for: (i) damage to, or destruction of, the Property; (ii) condemnation or other taking of all or any part of the Property; (iii) conveyance in lieu of condemnation; or (iv) misrepresentations of, or omissions as to, the value and/or condition of the Property.

(O) "Mortgage Insurance" means insurance protecting Lender against the nonpayment of, or default on, the Loan.

(P) "Periodic Payment" means the regularly scheduled amount due for (i) principal and interest under the Note, plus (ii) any amounts under Section 3 of this Security Instrument.

(Q) "RESPA" means the Real Estate Settlement Procedures Act (12 U.S.C. § 2601 et seq.) and its implementing regulation, Regulation X (12 C.F.R. Part 1024), as they might be amended from time to time, or any additional or successor legislation or regulation that governs the same subject matter. As used in this Security Instrument, "RESPA" refers to all requirements and restrictions that are imposed in regard to a "federally related mortgage loan" even if the Loan does not qualify as a "federally related mortgage loan" under RESPA.

(R) "Successor in Interest of Borrower" means any party that has taken title to the Property, whether or not that party has assumed Borrower's obligations under the Note and/or this Security Instrument

TRANSFER OF RIGHTS IN THE PROPERTY

The beneficiary of this Security Instrument is MERS (solely as nominee for Lender and Lender's successors and assigns) and the successors and assigns of MERS. This Security Instrument secures to Lender: (i) the repayment of the Loan, and all renewals, extensions and modifications of the Note, and (ii) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower, in consideration of the debt and the trust herein created, irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in the County [Type of Recording Jurisdiction] of EL PASO [Name of Recording Jurisdiction].

LEGAL DESCRIPTION ATTACHED HERETO AND MADE PART HEREOF



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MAY 31 2016

WATER RESOURCES
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COLOwhich currently has the address of 2020 N. ELLICOTT HIGHWAY

[Street]

CALHAN

, Colorado

80808-8829

("Property Address"):

[City]

[Zip Code]

TOGETHER WITH all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property. All replacements and additions shall also be covered by this Security Instrument. All of the foregoing is referred to in this Security Instrument as the "Property." Borrower understands and agrees that MERS holds only legal title to the interests granted by Borrower in this Security Instrument, but, if necessary to comply with law or custom, MERS (as nominee for Lender and Lender's successors and assigns) has the right to exercise any or all of those interests, including, but not limited to, the right to foreclose and sell the Property; and to take any action required of Lender including, but not limited to, releasing and canceling this Security Instrument.

BORROWER COVENANTS that Borrower is lawfully seised of the estate hereby conveyed and has the right to grant and convey the Property and that the Property is unencumbered, except for encumbrances of record. Borrower warrants and will defend generally the title to the Property against all claims and demands, subject to any encumbrances of record and liens for taxes for the current year not yet due and payable.

THIS SECURITY INSTRUMENT combines uniform covenants for national use and non-uniform covenants with limited variations by jurisdiction to constitute a uniform security instrument covering real property.

UNIFORM COVENANTS. Borrower and Lender covenant and agree as follows:

1. Payment of Principal, Interest, Escrow Items, Prepayment Charges, and Late Charges. Borrower shall pay when due the principal of, and interest on, the debt evidenced by the Note and any prepayment charges and late charges due under the Note. Borrower shall also pay funds for Escrow Items pursuant to Section 3. Payments due under the Note and this Security Instrument shall be made in U.S. currency. However, if any check or other instrument received by Lender as payment under the Note or this Security Instrument is returned to Lender unpaid, Lender may require that any or all subsequent payments due under the Note and this Security Instrument be made in one or more of the following forms, as selected by Lender: (a) cash, (b) money order, (c) certified check, bank check, treasurer's check or cashier's check, provided any such check is drawn upon an institution whose deposits are insured by a federal agency, instrumentality, or entity, or (d) Electronic Funds Transfer.

Payments are deemed received by Lender when received at the location designated in the Note or at such other location as may be designated by Lender in accordance with the notice provisions in Section 15. Lender may return any payment or partial payment if the payment or partial payments are insufficient to bring the Loan current. Lender may accept any payment or partial payment insufficient to bring the Loan current, without waiver of any rights hereunder or prejudice to its rights to refuse such payment or partial payments in the future, but Lender is not obligated to apply such payments at the time such payments are accepted. If each Periodic Payment is applied as of its scheduled due date, then Lender need not pay interest on unapplied funds. Lender may hold such unapplied funds until Borrower makes payment to bring the Loan current. If Borrower does not do so within a reasonable period of time, Lender shall either apply such funds or return them to Borrower. If not applied earlier, such funds will be applied to the outstanding principal balance under the Note immediately prior to foreclosure. No offset or claim which Borrower might have now or in the future against Lender shall relieve Borrower from making payments due under the Note and this Security Instrument or performing the covenants and agreements secured by this Security Instrument.

2. Application of Payments or Proceeds. Except as otherwise described in this Section 2, all payments accepted and applied by Lender shall be applied in the following order of priority: (a) interest due under the Note; (b) principal due under the Note; (c) amounts due under Section 3. Such payments shall be applied to each Periodic Payment in the order in which it became due. Any remaining amounts shall be applied first to late charges, second to any other amounts due under this Security Instrument, and then to reduce the principal balance of the Note.

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STATE ENGINEER
COLO

Witness _____

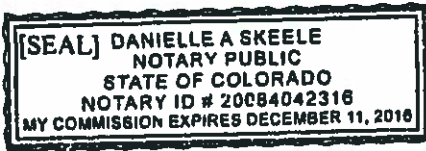
Borrower - ANGEL EMILIO CORDERO JR.

(Seal)

State of COLORADO

County of El Paso

The foregoing instrument was acknowledged before me this 2nd day of February, 2015 by ANGEL EMILIO CORDERO JR..



[Signature]
(signature of person taking acknowledgment)

(title or rank)

(serial number, if any)

My Commission expires 12-11-2016

Loan Originator Organization: CALIBER HOME LOANS, INC.
NMLS ID: 15622
Loan Originator: KEVIN BENT
NMLS ID. 251284

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MAY 31 2016

WATER RESOURCES
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APR 28 2016

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APR 28 2016

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COLO



EXHIBIT "A"
LEGAL DESCRIPTION

File No 602728

A TRACT OF LAND LOCATED IN THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 14 SOUTH, RANGE 63 WEST OF THE 6TH PM, EL PASO COUNTY, COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS,
THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 1, EXCEPTING THEREFROM THE NORTHERLY 85 FEET THEREOF AND ALSO EXCEPTING THE FOLLOWING TRACT OF LAND DESCRIBED AS FOLLOWS,
BEGINNING AT A POINT ON THE EAST LINE OF SAID SECTION 1 FROM WHENCE THE EAST 1/4 OF SAID SECTION 1 BEARS S 00 DEGREES 52'33" E, A DISTANCE OF 565.14 FEET; THENCE N 84 DEGREES 01' 36" W, A DISTANCE OF 565 14 FEET, THENCE S 00 DEGREES 41' 01" E, A DISTANCE OF 251 53 FEET, THENCE N 88 DEGREES 24' 07" E, A DISTANCE OF 562 00 FEET TO THE EAST LINE OF SAID SECTION 1, THENCE
ALONG THE EAST LINE OF SAID SECTION 1 N 00 DEGREES 52' 33" W, A DISTANCE OF 177.05 FEET TO THE
POINT OF BEGINNING

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STATE ENGINEER
COLO

DETERMINATION OF WATER RIGHT EVALUATION SHEET
SECTION 37-90-107(7)

Applicant: Angel E. Cordero Jr.
 Aquifer: Laramie-Fox Hills
 Basin: Upper Black Squirrel Creek
 County: El Paso
 General Description: Part of the SE1/4 of the NE1/4 of Section 1, Township 1 South, Range 63 West of the 6th Principal Meridian

Receipt No.: 3674366A
 Acres Claimed: 35.55
 GWMD: Upper Black Squirrel Creek

I. Water Underlying Claimed Acreage:

AF = (acres)(ft SS)(SY). AF/YR = AF/100 years

Acreage (ac)	SS ¹ (ft)	SY	Quantity (af)	Allowed Average Annual Withdrawal ² (af/yr)
35.55	195	0.15	1039.8375	10.398375

II. Reductions to Claimed Acreage:

Overlapping Pre-November 19, 1973 Well Cylinders:

No

If Yes:

Permit No.	Overlapping Acreage, (ac)

III. Water Underlying Reduced Acreage:

AF = (acres)(ft SS)(SY). AF/YR = AF/100 years

Acreage (ac)	SS ¹ (ft)	SY	Quantity (af)	Allowed Average Annual Withdrawal ² (af/yr)
			0	0

IV. Small-Capacity Wells Located on Claimed Tract:

No

If Yes:

Permit No.	Permitted Annual Appropriation (af/yr)

V. Adjusted Allowed Average Annual Amount of Withdrawal, and Quantity:

Annual Withdrawal ² (af/yr)	Quantity ² (af)
10.4	1040

VI. Replacement Water Status of Claimed Area:

Nontributary

Replacement Plan Required:

No

VII. Aquifer Depth (Center of Parcel):

Top, ft	Base, ft
760	1070

VIII. Comments:

- The average saturated sandstone/siltstone (SS) was estimated from the SB5 program.
- Based on a 100 year aquifer life.

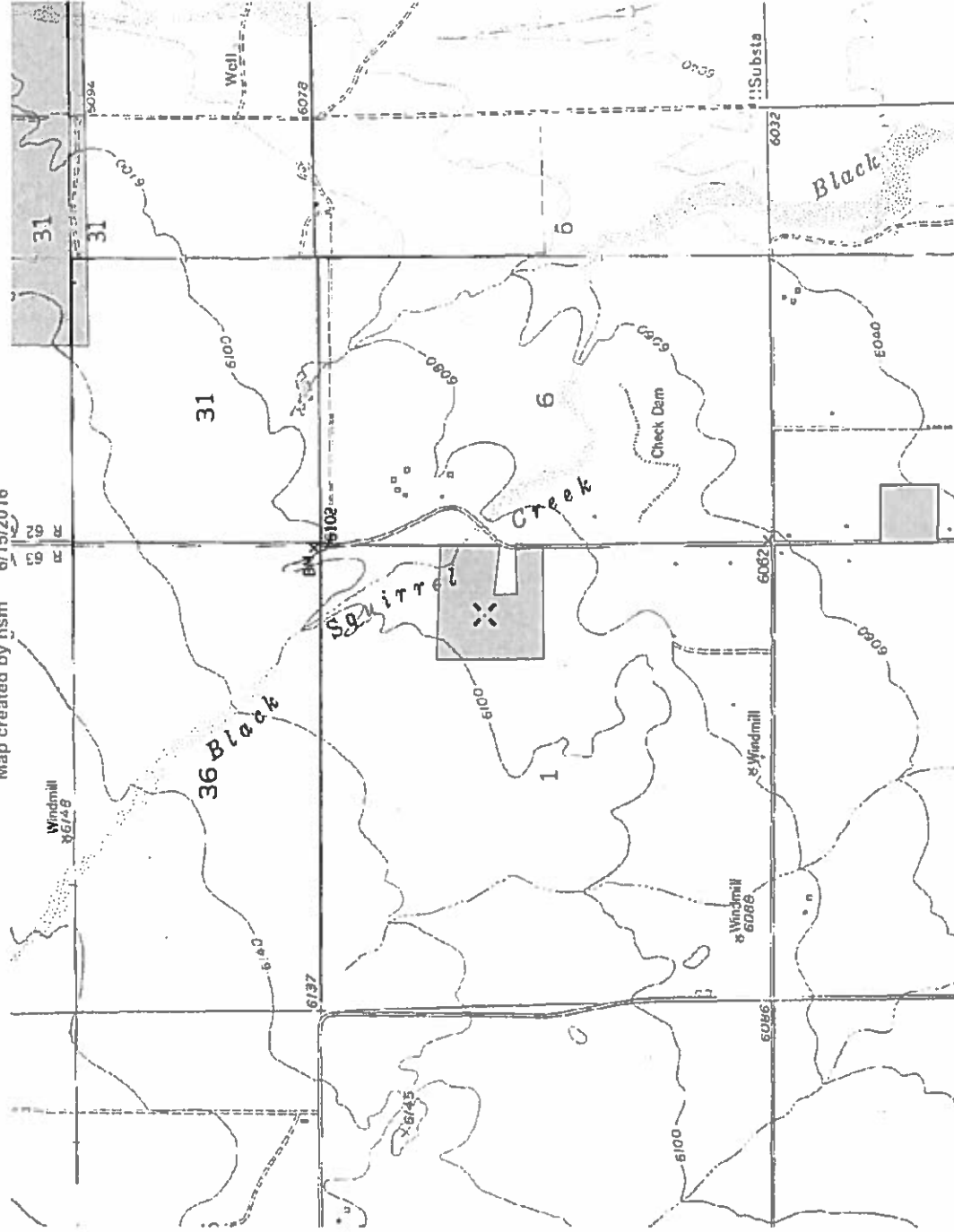
Evaluated by:	NSM 6/15/16
Reviewed by:	EW 7-12-16

AQUAMAP

Colorado Division of Water Resources

3674366 Cordero

Map created by nsm 6/15/2016



14,235 ft

11,000 ft

MAP NAVIGATION

Click to create PDF

UTM X, Zone 13: 615862

UTM Y, Zone 13451119

Long: -103° 37' 39.5"

Lat: 40° 44' 36.6"

UTM and Geographic(LL) coordinates in NAD 83

DATA DISPLAY

☒ Background
 ☐ Counties
 ☐ PLSS
 ☐ Roads
 ☐ Hydrography
 ☐ County Parcels (No Public Access)
 ☐ Towns

☒ Quad Maps
 ☐ Water Well App
 ☒ DWR Parcels
 ☐ EPA Well Notifi
 ☐ Oil/Gas Well Lo
 ☐ More Data

☐ Low
 ☒ High
 ☐ Transparency

LOCATION

Section Township Range Meridian Sixth

PRINTING

Output Scale Page Size User

Title

Note: The well locations displayed on AquaMap are based on location information provided by well permit application forms and are only as accurate as the information provided. The actual physical locations of all wells have not been field verified and may vary from the location displayed. Refer to a copy of the original well permit file, available on the Division of Water Resources website, for well location details.



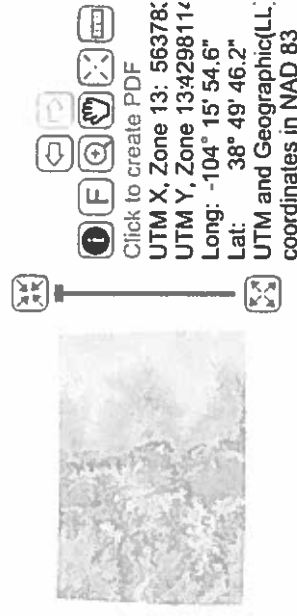
AQUAMAP

Colorado Division of Water Resources

3674366 Cordero

Map created by nsm 6/15/2016

MAP NAVIGATION



Click to create PDF

UTM X, Zone 13: 56378

UTM Y, Zone 13: 429811

Long: -104° 15' 54.6"

Lat: 38° 49' 46.2"

UTM and Geographic(LL) coordinates in NAD 83

DATA DISPLAY

☒ Background

☐ Counties

☐ PLSS

☐ Roads

☐ Hydrography

☐ County Parcels (No Public Access)

☐ Towns

☐ Water Well App

☒ DWR Parcels

☐ EPA Well Notifi

☐ Oil/Gas Well Lo

Transparency

Low ☒ High

More Data

LOCATION

Section Township Range Meridian Sixth

PLSS Locator Quick Zoom Spacing

PRINTING

Output Scale Page Size

Title User

Note: The well locations displayed on AquaMap are based on location information provided by well permit application forms and are only as accurate as the information provided. The actual physical locations of all wells have not been field verified and may vary from the location displayed. Refer to a copy of the original well permit file, available on the Division of Water Resources website, for well location details.



Address location by Bing Maps
AquaMap Version 3.0.1 July 5, 2009

Based on work developed at <http://www.carto.net>

59,314 ft

45,833 ft

AQUAMAP

Colorado Division of Water Resources

3674366 Cordero

Map created by nsm 6/15/2016

MAP NAVIGATION

Click to create PDF
 UTM X, Zone 13: 56171
 UTM Y, Zone 13430137
 Long: -104° 17' 19.4"
 Lat: 38° 51' 32.6"
 UTM and Geographic(LL) coordinates in NAD 83

DATA DISPLAY

☒ Background ☐ Counties ☐ Water Well App
☐ LarFox Sands ☐ PLSS ☒ DWR Parcels
☐ Low ☒ High ☐ Roads ☐ EPA Well Notifi
☐ Transparency ☐ Hydrography ☐ Oil/Gas Well Lo
☐ County Parcels (No Public Access)
☐ Towns

LOCATION

Section Township Range Meridian

PRINTING

Output Scale Page Size
 Title User

Note: The well locations displayed on AquaMap are based on location information provided by well permit application forms and are only as accurate as the information provided. The actual physical locations of all wells have not been field verified and may vary from the location displayed. Refer to a copy of the original well permit file, available on the Division of Water Resources website, for well location details.



Address location by Bing Maps
 AquaMap Version 3.0.1 July 5, 2009

Based on work developed at <http://www.carto.net>





COLORADO

Division of Water Resources

Department of Natural Resources
1313 Sherman Street, Room 821
Denver, CO 80203

July 12, 2016

Angel E. Cordero Jr.
2020 N. Ellicott Hwy
Calhan, CO 80808

RE: Applications for Determinations of Water Right and Approval of a Replacement Plan to Appropriate Ground Water from the Laramie-Fox Hills and Arapahoe Aquifers Underlying a 606.34-Acre Tract, Receipt Nos. 3674366A, 3674367A, and 3674367B

Dear Applicant:

Enclosed is a copy of the legal notice to be published in the Ranchland News newspaper as required for the above described applications. If you find any errors or omissions in the notice, please contact this office by phone as soon as possible so that corrections may be made prior to publication. This office will bill you at a later time for the actual cost of this publication.

If you have any questions concerning these applications, please contact me at this office at (303) 866-3581.

Sincerely,

Neelha Mudigonda
Water Resources Engineer
Designated Basins Branch

Enclosures: a/s





COLORADO

Division of Water Resources

Department of Natural Resources
1313 Sherman Street, Room 821
Denver, CO 80203

July 12, 2016

Tracy Doran, Manager
Upper Black Squirrel Creek
520 Colorado Ave., Block C
Calhan, CO 80808

RE: Applications for Determination of Water Right and Approval of a Replacement Plan,
Section 37-90-107(7), C.R.S., Laramie-Fox Hills and Arapahoe Aquifers, Applicant: Angel
E. Cordero Jr., Receipt No. 3674366A, 3674367A, and 3674367B

Dear Tracy:

If the Board of Directors of your district wishes to provide written comments or recommendations concerning the above applications, please provide such recommendations within 35 days of the date of this letter.

Pursuant to Section 37-90-107(7), C.R.S., the Ground Water Commission shall have the authority to approve determinations of rights to designated ground water in the Dawson, Denver, Arapahoe, and Laramie-Fox Hills aquifers. This application is being processed and evaluated in accordance with this section and the Designated Basin Rules.

If you have any questions regarding these applications, please contact me at neelha.mudigonda@state.co.us or (303)866-3581 ext. 8206.

Sincerely,

Neelha Mudigonda
Water Resources Engineer
Designated Basins Branch

Attachment: a/s



OFFICE OF THE STATE ENGINEER
Division of Water Resources – Department of Natural Resources
1313 Sherman St, Room 818, Denver, Colorado 80203
Phone 303-866-3581 – FAX 303-866-2223 – www.water.state.co.us

July 12, 2016

Ranchland News
ranchland@bigsandytelco.com

Applicant: Angel E. Cordero Jr.

-EMAIL- DOCUMENT TRANSFER-

Please publish the enclosed legal notice in your editions of July 21 and July 28, 2016, or as close to these dates as possible. Please single-space all the enclosed material in your standard single column legal notice format. Font size shall not be less than six-point type and not more than nine-point in size.

Prior to publishing the legal notice, a proof copy must be submitted to this office for approval. The Ground Water Commission staff will inspect the proof copy and a reply as to its correctness will be made immediately by phone to your office. The proof copy must be directed to the attention of Neelha Mudigonda, Colorado Division of Water Resources at the above address, or by email neelha.mudigonda@state.co.us.

The state Controller and the State Purchasing Agent require that four copies of the billing and four copies of the proof of publication affidavit must be received in order to process billing invoices for legal notice publications. Two copies of the proof of publication must be notarized.

Since we must re-bill the applicant prior to the official action concerning their application request, please transmit the billing copies together with the proofs of publication as soon as possible.

Should you have any questions concerning publication of this notice, please contact this office.

Sincerely,

Neelha Mudigonda
Water Resources Engineer
Designated Basins Branch

Enclosure (a/s)

BEFORE THE COLORADO GROUND WATER COMMISSION

UPPER BLACK SQUIRREL CREEK DESIGNATED GROUND WATER BASIN AND UPPER
BLACK SQUIRREL CREEK GROUND WATER MANAGEMENT DISTRICT – EL PASO
COUNTY

TAKE NOTICE that pursuant to Section 37-90-107(7), C.R.S., Angel E. Cordero Jr. (hereinafter "applicant") applied for a determination of water right to allow the withdrawal of designated ground water from the Laramie-Fox Hills and Arapahoe aquifers underlying 35.55 acres generally described as part of the SE1/4 of the NE1/4 of Section 1, in Township 14 South, Range 63 West of the 6th P.M. The applicant claims ownership of this land and control of the ground water in the above-described aquifers under this property. The ground water allocations from these aquifers will be used on the described property for the following beneficial uses: domestic, landscape irrigation, domestic animals, replacement. The maximum allowable annual amount of ground water in each aquifer underlying the described property will be allocated.

In accordance with Section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, the Colorado Ground Water Commission shall allocate ground water from the above-described aquifer based on ownership of the overlying land and an aquifer life of one hundred years. A preliminary evaluation of the applications by the Commission Staff finds the annual amount of water available for allocation from each of the described aquifers underlying the above-described property to be as follows: 10.4 acre-feet for the Laramie-Fox Hills, and 6.35 acre-feet for the Arapahoe, subject to final staff evaluation. The estimated available annual acre-feet allocation amount for the aquifer may be increased or decreased by the Commission to conform to the actual aquifer characteristics, based upon site specific data.

In accordance with Rule 5.3.6 of the Designated Basin Rules, the Commission Staff's preliminary evaluation of the applications finds the replacement water requirement status for the above aquifers underlying the above-described property to be as follows: nontributary for the Laramie-Fox Hills, and not-nontributary (actual impact replacement) for the Arapahoe.

Upon Commission approval of this determination of water right, well permits for wells to withdraw the allowed allocation from a specific aquifer shall be available upon application, subject to the conditions of the determination and the Designated Basin Rules and subject to approval by the Commission. Such wells must be completed in the specified aquifer and located on the above described 35.55 acre property. Well permits for wells to withdraw ground water from the Arapahoe aquifer would also be subject to the conditions of a replacement plan to be approved by the Commission.

TAKE NOTICE that pursuant to Section 37-90-107.5, C.R.S., and the Designated Basin Rules, 2 CCR 410-1 Angel E. Cordero Jr. submitted an application to the Colorado Ground Water Commission for a replacement plan to allow withdrawal of not-nontributary ground water from the Arapahoe aquifer that is the subject to the pending Determination of Water Right which quantifies the ground water from beneath 35.55 acres generally described as part of the SE1/4 of the NE1/4 of Section 1, in Township 14 South, Range 63 West of the 6th P.M.

The applicant proposes to divert 0.5 acre-foot annually from the Arapahoe aquifer for a period of 300 years for domestic and replacement uses for one residence. Based on ground water flow modeling, the proposed pumping will cause depletions to the alluvial aquifer of Black Squirrel Creek, increasing to 0.285 acre-feet annually in the 300th year. The applicant proposes to provide 0.293 acre-feet per year of replacement water to the alluvial aquifer of Black Squirrel

Creek. The proposed source of replacement water is non-evaporative septic system and leaching field return flows from the in-house use and irrigation use of the ground water to be pumped under the plan.

The replacement plan is being considered for approval by the Commission in accordance with Section 37-90-107.5, CRS, and the Designated Basin Rules, 2 CCR 410-1, which requires that the plan must be adequate to prevent any material injury to water rights of other appropriators; specifically rights for large-capacity alluvial wells. Terms and conditions may be required to prevent material injury and provide for administration. The application is published as required by statute and does not imply that the Commission will approve the proposed plan in its present form.

Any person wishing to object to the approval of these determinations of water right and replacement plan must do so in writing, briefly stating the nature of the objection and indicating the above applicant, property description and the specific aquifers that are the subject of the objection. The objection must be accompanied by a \$10 per aquifer/application fee and must be received by the Commission Staff, Colorado Ground Water Commission, 818 Centennial Building, 1313 Sherman Street, Denver, Colorado 80203, by August 29, 2016.

PUBLISHER'S AFFIDAVIT

STATE OF COLORADO)
) ss.
COUNTY OF ELBERT)


I, Fred Lister, do solemnly affirm that I am the Publisher of RANCHLAND NEWS; that the same is a weekly newspaper published at Simla, County of Elbert, State of Colorado, and has a general circulation therein; that said newspaper has been continuously and uninterruptedly published in said County of Elbert for a period of at least 52 consecutive weeks next prior to the first publication of the annexed notice, that said newspaper is entered in the post office at Calhan, Colorado as second class mail matter and that said newspaper is a newspaper within the meaning of the Act of the General Assembly of the State of Colorado, approved March 30, 1923, and entitled "Legal Notices and Advertisements," with other Acts relating to the printing and publishing of legal notices and advertisements. That the annexed notice was published in the regular and entire issue of said newspaper, once each week for two successive weeks; that the first publication of said notice was in the issue of said newspaper dated:

July 21, 2016

and the last publication of said notice was in the issue of said newspaper dated:


July 28, 2016

and that copies of each number of said paper in which said notice and/or list was published were delivered by carriers or transmitted by mail to each of the subscribers of said newspaper, Ranchland News, according to the accustomed mode of business in this office.


Publisher

The above certificate of publication was subscribed and affirmed to before me, a Notary Public, to be the identical person described in the above certificate, on the

28 day of July, 2016


Notary Public

9/20/16
(My Notary Public Commission Expiration Date)

Determinations of Water Right

BEFORE THE COLORADO GROUND WATER COMMISSION

UPPER BLACK SQUIRREL CREEK DESIGNATED GROUND WATER BASIN AND UPPER BLACK SQUIRREL CREEK GROUND WATER MANAGEMENT DISTRICT - EL PASO COUNTY

TAKE NOTICE that pursuant to Section 37-90-107(7), C.R.S., Angel E. Cordero Jr (hereinafter "applicant") applied for a determination of water right to allow the withdrawal of designated ground water from the Laramie-Fox Hills and Arapahoe aquifers underlying 35.55 acres generally described as part of the SE1/4 of the NE1/4 of Section 1, in Township 14 South, Range 63 West of the 6th P.M. The applicant claims ownership of this land and control of the ground water in the above-described aquifers under this property. The ground water allocations from these aquifers will be used on the described property for the following beneficial uses: domestic, landscape irrigation, domestic animals, replacement. The maximum allowable annual amount of ground water in each aquifer underlying the described property will be allocated.

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First Publication July 21, 2016

Final Publication July 28, 2016

In Ranchland News

Legal No. 17.314

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AUG 01 2016

WATER RESOURCES
STATE ENGINEER COLO.

SUSAN LISTER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19904014317
MY COMMISSION EXPIRES 9/20/2016

Ranchland News

PO Box 307

Simla, CO 80835

719-541-2288

ranchland@bigsandytelco.com

Invoice

Date	Invoice #
7/21/2016	31299

Bill To
Colorado Ground Water Commission 1313 Sherman Street, Room 818 Denver, CO 80203

P.O. No.	Terms	Project
	Net 30	

Quantity	Description	Rate	Amount
127	Legal- 11.5 picas	0.494	62.74
127	Legal- 11.5 picas- rerun 17,314	0.345	43.82

RECEIVED

AUG 01 2016

WATER RESO'
STATE ENGINE'

	Total	\$106.56
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COLORADO

Division of Water Resources

Department of Natural Resources
1313 Sherman Street, Room 821
Denver, CO 80203

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AUG 08 2016

WATER RESOURCES
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COLO

3675824
12:58:34 PM
\$106.56
\$106.56

August 2, 2016

Angel E. Cordero Jr.
2020 N. Ellicott Hwy
Calhan, CO 80808

Transaction #:
Date: 8/8/2016
Transaction Total:
CREDIT CARD

Invoice No. 17-PUB-02

INVOICE

Pursuant to Section 37-90-116, C.R.S., applicants are required to pay for the actual expense of publication for determinations of water right, well permit, and change of water right applications.

Your applications for determinations of water right to appropriate ground water from the Laramie-Fox Hills and Arapahoe aquifers were published in the Ranchland News on July 21 and July 28, 2016.

The following cost was incurred:

1. Actual cost of publication: \$106.56
2. Additional fees: none

PAYABLE TO: DIVISION OF WATER RESOURCES

\$106.56

Your application cannot be considered for approval until the charges are paid.

Please return the enclosed copy of this invoice with remittance within thirty (30) days.

(A copy of the publication affidavit is enclosed for your records.)

Sincerely,

Neelha Mudigonda
Water Resources Engineer
Designated Basins Branch

Enclosures (a/s)

