

**DECLARATION OF WATER COVENANTS AND EASEMENTS
FOR
RED ROCK ACRES FILING NO. 1**

GTG Red Rock, LLC, a Colorado limited liability company (“Declarant”) is the sole owner of real property more particularly described as being approximately 14.96 acres located in the NE¼ SW¼ and NW¼ SE¼ of Section 9, Township 11 South, Range 67 West of the 6th P.M., County of El Paso, State of Colorado, being a portion of El Paso County Parcel numbers 7109000024 and 7109014003, depicted on attached **Exhibit A** and incorporated by this reference known as the Red Rock Acres Filing No. 1 Subdivision (the “Subdivision”). The Declarant desires to place limited protective covenants, conditions, restrictions, and reservations upon the Subdivision to protect the Subdivision's quality residential living environment, to protect its desirability, attractiveness, and value, and to ensure compliance with all conditions concerning water and water rights to be utilized within the Subdivision, including State Statutes and El Paso County's 300-year water supply requirement.

The Declarant hereby declares that all of the Subdivision as hereinafter described, with all appurtenances, facilities and improvements thereon, shall be held, sold, used, improved, occupied, owned, resided upon, hypothecated, encumbered, liened, and conveyed subject to the following reservations, uses, limitations, obligations, restrictions, covenants, provisions and conditions, all of which are for the purpose of enhancing and protecting the value, desirability and attractiveness of the Subdivision, and for assurance of legal water usage, and all of which shall run with the land and be binding on and inure to benefit of all parties having any right, title or interest in the Subdivision or any part thereof, their heirs, successors and assigns.

Certain documents are recorded in the real estate records of the Clerk and Recorder of El Paso County, Colorado at the reception numbers noted below, and referred to in this Declaration of Covenants as pertaining to the Subdivision. This includes the Findings of Fact, Conclusions of Law, Ruling of Referee and Decree Adjudicating Denver Basin Groundwater as entered by the Colorado Water Court, Water Division No. 2 in Case No. 2024CW3020 recorded at Reception No. 225030390 (“Water Decree”) attached hereto as **Exhibit B**.

NOW, THEREFORE, the following Declaration of Covenants is made:

1. Water Decree.

A. Decree/Summary. The Subdivision shall be subject to the obligations and requirements set forth in Water Decree ordered April 14, 2025 affirming the Findings of Fact and Ruling of Referee granting underground water rights that was issued on February 25, 2025. The water supply for the Subdivision shall be by individual wells to the nontributary Denver aquifer. The Water Decree includes terms and conditions governing the withdrawal and use of said groundwater, which are further adopted as conditions of these Covenants. “Lot Owners” will be the owners of Lots 1-5 as depicted

on **Exhibit A**. The Lot Owners will each receive an equal share of the 4.76 annual acre-feet of Denver aquifer groundwater adjudicated in the Water Decree, or 0.952 annual acre-feet per lot.

B. Water Rights Ownership.

i. Declarant hereby reserves the entirety of the nontributary Denver aquifer groundwater adjudicated in the Water Decree, being 1,428 acre-feet, for the purpose of being conveyed to each Lot Owner, with each Lot identified in **Exhibit A** utilizing an equal share of the 1,428 acre-feet for the next 300 years, consistent with El Paso County's 300-year water supply requirement for Red Rock Acres Filing No. 1.

ii. Declarant will transfer and assign to each Lot Owner their portion of all right, title and interest in the nontributary Denver aquifer as adjudicated in Case No. 24CW3020, being 285.6 acre-feet (0.952 acre-feet/year) of Denver aquifer groundwater for each residential lot. Said reservations shall not be separated from title to the property and shall be used exclusively for primary water supply.

iii. The Lot Owners may not irrigate more than 11,325 square feet of ground on each of their respective lots.

iv. The Denver aquifer water is nontributary in nature. Pursuant to C.R.S. § 37-90-137(9)(b) two percent (2%) of the nontributary groundwater withdrawn annually must be relinquished. Said relinquishment shall occur via septic return flows into non-evaporative septic systems for all residences on Lots 1-5. These return flows shall not be separated from the transfer of title to the land and shall not be separately conveyed, sold, traded, bartered, assigned, or encumbered in whole or in part. Lot Owners must follow all applicable laws, rules, regulations, court orders, and permit conditions related to return flows.

v. The Denver aquifer water rights referenced herein shall be explicitly conveyed; however, if a successor lot owner fails to so explicitly convey the water rights, such water rights shall be intended to be conveyed pursuant to the appurtenance clause in any deed conveying said lot, whether or not Findings of Facts, Conclusions of Law, Ruling of Referee, and Decree in Division 2 Case No. 24CW3020 and the Denver aquifer water rights therein are specifically referenced in such deed. The water rights so conveyed shall be appurtenant to the lot with which they are conveyed, shall not be separated from the transfer of title to the land, and shall not be separately conveyed, sold, traded, bartered, assigned or encumbered in whole or in part for any other purpose. Such conveyance shall be by special warranty deed, but there shall be no warranty as to the quantity or quality of water conveyed, only as to the title.

vi. Any and all instruments used to convey the nontributary Denver aquifer groundwater for Lots 1-5, and the return flows, shall include the following language:

“These water rights conveyed, and the return flows therefrom, are intended to provide a 300-year water supply for each of the lots of Red Rock Acres Filing No. 1. The water rights so conveyed and the return flows therefrom shall be appurtenant to each of the respective lots with which they are conveyed, shall not be separated from the transfer of title to the land, and shall not be separately conveyed, sold, traded, bartered, assigned, or encumbered in whole or in part for any other purpose. Such conveyance shall be by special warranty deed, but there shall be no warranty as to the quantity or quality of water conveyed, only as to the title.”

C. Well Permits.

i. Each Lot Owner shall be responsible for obtaining a well permit from the Colorado Division of Water Resources to drill to the Denver aquifer pursuant to the Water Decree and C.R.S. § 37-90-137(4) and (10). The costs of the construction, operation, maintenance and repair of such individual well, and delivery of water therefrom to the residence located on such Lot, shall be at each Lot Owner’s expense.

ii. Each Lot Owner shall be responsible for installing and maintaining appropriate water measurement devices and reporting their individual well meter records to the Water Commissioner by March 31st and October 31st of each year, or more frequently as may be requested by the Water Commissioner, pursuant to the Water Decree.

2. Compliance. The Lot Owners shall perform and comply with all terms, conditions, and obligations of the Water Decree, and shall further comply with the terms and conditions of any well permits issued by the Division of Water Resources pursuant to the Water Decree, as well as all applicable statutory and regulatory authority.

3. Cooperation Clause. All parties mentioned herein shall cooperate with one another in good faith to accomplish and fulfill the terms of this Declaration, and each party shall timely execute any and all documents necessary to accomplish the same.

4. Notice of Action. Any notice required hereunder shall be in writing and shall be sufficient if delivered personally, by courier, by registered or certified U.S. Mail, postage prepaid, or by overnight delivery service providing document tracking services, and shall be sent to the addresses in the introductory paragraph of this Declaration, or as the property will be split up through El Paso County’s subdivision process, and effective upon receipt.

5. Dispute Resolution Process. Lot Owners bringing any claim or action to enforce any covenant, condition, or restriction contained in this Declaration, or other disputes arising from this Declaration, shall be subject to mediation as a condition precedent to other dispute resolution if the parties have not resolved the dispute within thirty (30) days following the notice of claim through discussions and negotiations among or between the parties. Any and all parties involved in a claim, dispute, or other matter,

shall endeavor to resolve all claims and disputes in good faith by mediation prior to any arbitration, litigation, or other dispute resolution proceeding. The parties shall share the mediator's fee and any associated fees equally, and the mediation shall be held in a mutually agreed upon place. All mediations shall be confidential based on terms acceptable to the mediator and/or mediation service provider, and shall be conducted in compliance with the Colorado Dispute Resolution Act and all applicable Colorado Statutes, including C.R.S. §§ 13-22-302 to 13-22-308.

6. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Colorado, and venue shall be proper in the District Court for El Paso County, Colorado.

7. Violations of Law. Any violation of any law, ordinance, rule or regulation, pertaining to the ownership, occupation or use of any property within the Subdivision is declared to be a violation of this Declaration and shall be subject to any and all of the enforcement procedures set forth in this Declaration.

8. Amendment of Declaration of Covenants. Notwithstanding any provisions to the contrary, no changes, amendments, alterations, or deletions to these Covenants may be made which would alter, impair, or in any manner compromise the water supply for Red Rock Acres Filing No. 1 pursuant to Findings of Fact, Conclusions of Law, Ruling of Referee and Decree in Division 2 Case No. 24CW3020. Further, written approval of any such proposed amendments must first be obtained from the El Paso County Planning and Community Development Department, and as may be appropriate, by the Board of County Commissioners, after review by the County Attorney's Office. Any amendments must be pursuant to the Division 2 Water Court approving such amendment, with prior notice to the El Paso County Planning and Community Development Department for an opportunity for the County to participate in any such proceedings.

9. Recordation of Amendments. Each amendment to this Declaration must be recorded in the records of the Clerk and Recorder for El Paso County, Colorado, and the amendment is effective only upon recording.

10. Termination of Covenants. These Covenants shall not terminate unless the requirements of Findings of Fact, Conclusions of Law, Ruling of Referee and Decree in Division 2 Case No. 24CW3020 are also terminated by the Division 2 Water Court and a change of water supply is approved in advance of termination by the Board of County Commissioners of El Paso County.

11. Amendment Limitations. No changes, amendments, alterations, or deletions to this Declaration may be made which would alter, impair, or in any manner compromise the water rights of the Lot Owners without the written approval of said parties, El Paso County, and Court with proper jurisdiction.

12. Terms of Covenants and Severability. These Covenants shall run with the land and shall remain in full force and effect until amended or terminated, in whole or part,

by the owners of the entirety of the Subdivision (i.e. all Lot Owners), and filed for record with the Clerk and Records of El Paso County. If any portion of this Declaration is held invalid or becomes unenforceable, the other Covenants shall not be affected or impaired but shall remain in full force and effect.

13. Compliance with Documents. All Lot Owners, tenants, occupants of dwellings on Lots, and, to the extent they own Lots, mortgagees and the Declarant, shall comply with this Declaration, and shall be subject to all rights and duties under the Declaration. The acceptance of a deed or the exercise of any incident of ownership or the entering into of a lease or the occupancy of a Lot constitutes agreement that the provisions of this Declaration are accepted and ratified by that Lot Owner, tenant, mortgagee, or occupant. All provisions recorded in this Declaration are covenants running with the land and shall bind any Persons having at any time any interest or estate in any Lot.

14. Waiver. No provision contained in this Declaration is abrogated or waived by reason of any failure to enforce the same irrespective of the number of violations or breaches which may occur.

15. Conflict. This Declaration is not intended to comply with the requirements of the Colorado Common Interest Ownership Act, other than C.R.S. §§ 38-33.3-105 to 38-33.3-107, as the Subdivision is exempt from all other provisions of the Act.

Executed on this the ____ day of _____, 2026.

BY: DECLARANT

Brandon Loveridge

Manager of GTG Red Rock, LLC, a Colorado limited liability company

FINAL PLAT
RED ROCK ACRES FILING No. 1
 A PORTION OF SECTION 9, TOWNSHIP 11 SOUTH,
 RANGE 67 WEST OF THE 6TH P.M.
 COUNTY OF EL PASO, STATE OF COLORADO

Exhibit A

KNOW ALL BY THESE PRESENTS:

That GTG RED ROCK, LLC, a Colorado limited liability company, being the owner of the following described tract of land to wit:

LEGAL DESCRIPTION

(Per Special Warranty Deed recorded under Reception No. 221231271 of the Records of the El Paso County Clerk and Recorder's office.)

Address of Record: 105 Red Rock Ranch Road and Rockbrook Road, Colorado Springs, CO.

Parcel I:
 SUBDIVISION EXEMPTION ARAPAHOE WELL – FOREST VIEW ACRES WATER DISTRICT, recorded November 2, 2016, at Reception Number 216713864, of a parcel of land being a part of the East ½ of Section 9, Township 11 South, Range 67 West of the 6th Principal Meridian, County of El Paso, State of Colorado, EXCEPT that portion contained in Warranty Deed recorded August 28, 1990, in Book 5768, at Page 753; AND EXCEPT that portion contained in Warranty Deed recorded August 21, 1991, in Book 5873, at Page 767, being more particularly described as follows:

Proposed legal description as shown on SUBDIVISION EXEMPTION ARAPAHOE WELL – FOREST VIEW ACRES WATER DISTRICT, recorded November 2, 2016, at Reception Number 216713864:

A parcel of land situated in the Southwest quarter of the Northeast quarter, the Northwest quarter of the Southeast quarter and the Southwest quarter of the Southeast quarter of Section 9, Township 11 South, Range 67 West of the Sixth Principal Meridian, County of El Paso, State of Colorado, to-wit:

Commencing at the East Quarter corner of said Section 9; thence South 89°12'57" West, on a direct line toward the West quarter corner of said Section 9, with all bearings contained herein relative thereto, a distance of 1,832.47 feet to a point on the Southwesterly right-of-way line of Colorado State Highway No. 105, from whence the Southwest corner of said Northeast corner of said Section 9 bears South 89°12'57" West, a distance of 818.87 feet, said point being the TRUE POINT OF BEGINNING; thence South 52°19'20" East, along said Southwesterly right-of-way line of said Colorado State Highway, a distance of 161.56 feet to the Northwest corner of that parcel described in Book 2639 at Page 568 of the Public Records of said County, more particularly described as Lot 1, MERRICK'S SUBDIVISION; thence South 38°47'19" West, departing from said Southwesterly right-of-way line of said Highway, and along the Northwesterly boundary line of said Lot 1, a distance of 171.94 feet to the Northwest corner of Lot 2 of said subdivision; thence South 38°50'03" West, along the Northwesterly boundary line of said Lot 2, a distance of 172.62 feet to the Northwest corner of that parcel described in instrument recorded January 28, 1971, in Book 2387, at Page 569, of the Public Records of said County; thence South 38°44'42" West, along the Northwesterly boundary line of the aforesaid parcel, a distance of 123.39 feet; thence South 22°33'32" West, along the Westerly boundary line of the aforesaid parcel, a distance of 113.49 feet; thence South 87°06'31" East, along the Southerly boundary line of the aforesaid parcel, a distance of 204.48 feet to a point on the Westerly right-of-way line of Rockbrook Road, as platted January 5, 1971, in Plat Book P2, MERRICK'S SUBDIVISION, of said County; thence 56.60 feet along a non-tangent curve to the left, departing from the Southerly boundary line of the aforesaid parcel and along the Southwesterly right-of-way line of said road, with a radius of 102.76 feet, and central angle of 31°33'38", (long chord bears South 13°19'45" East, 55.89 feet), to a point of tangency; thence South 28°17'58" East, continuing along the Southwesterly right-of-way line of said road, a distance of 775.68 feet to a point on the South line of the Northwest quarter of the Southeast quarter of said Section 9, from whence the Southeast corner of the Northwest quarter of the Southeast quarter of said Section 9 bears North 89°03'49" East, a distance of 121.91 feet; thence South 89°03'49" West, along the South line of the Northwest quarter of the Southeast quarter of said Section 9, a distance of 574.14 feet; thence South 00°57'07" East, departing from the aforesaid South line, a distance of 10.72 feet to the Northeast corner of CLOVEN HOOF ESTATES SUBDIVISION, recorded October 11, 1959, in the Public Records of said County in Plat Book B2, at Page 3, said point being on the Easterly right-of-way line of Vista View Drive (vacated); thence South 87°58'39" West, along the Northerly line of said subdivision, a distance of 49.98 feet; thence South 89°16'38" West, along the North boundary line of Lot 1, Block 7, of said subdivision, a distance of 357.03 feet; thence South 89°02'07" West, along the North boundary line of Lot 2, Block 7, of said subdivision, a distance of 219.04 feet, to a point on the West line of the Southwest quarter of the Southeast quarter of said Section 9, from whence the Southwest corner of the Southeast quarter of said Section 9 bears South 00°12'16" West, a distance of 1314.40 feet; thence North 00°12'16" East, departing from the North line of the aforesaid subdivision, and along the East line of the Southeast quarter of the Southwest quarter of said Section 9, a distance of 10.28 feet to the Southwest corner of the Northwest quarter of the Southeast quarter of said Section 9; thence North 00°12'16" East, along the West line of said Northwest quarter of the Southeast quarter of said Section 9, a distance of 1,324.69 feet to the Northwest corner of said Southeast quarter of said Section 9; thence North 00°12'16" East, along the West line of the Northeast quarter of said Section 9, a distance of 641.77 feet to a point on the Southwesterly right-of-way line of the aforesaid Colorado State Highway No. 105; thence South 52°19'20" East, departing from the aforesaid West line, and along said Southwesterly right-of-way line of said highway, a distance of 1,031.64 feet to the TRUE POINT OF BEGINNING.

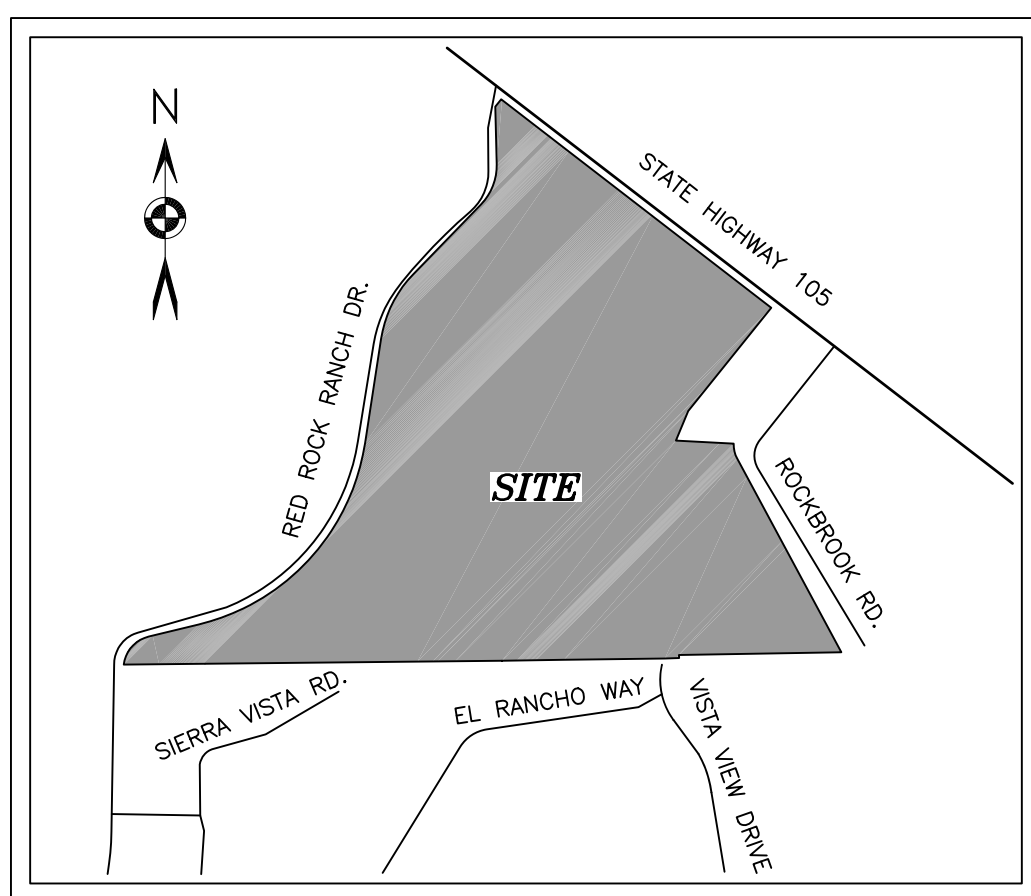
EXCEPT that parcel described in instrument recorded August 21, 1991, in Book 5873, at Page 767, of the Public Records of said County, AND EXCEPT Parcel "A" as described herein:

Parcel "A" proposed legal description:
 A parcel of land situated in the Southeast quarter of Section 9, Township 11 South, Range 67 West of the Sixth Principal Meridian, to wit:

Commencing at the East quarter corner of said Section 9; thence South 89°12'57" West, along the North line of the Southeast quarter of said Section 9, on a direct line towards the West quarter corner of said Section, with all bearings contained herein relative thereto, a distance of 1,832.47 feet to its intersection with the Southwesterly right-of-way line of Colorado State Highway No. 105; thence South 52°19'20" East, along said right-of-way line, a distance of 161.56 feet to the Northwesterly corner of Lot 1, MERRICK'S SUBDIVISION, thence South 52°23'59" East, continuing along said right-of-way line, a distance of 468.88 feet to the Northwest corner of Lot 1, MORGAN SUBDIVISION NO. 1; thence South 00°18'00" West, departing from the aforesaid right-of-way line and along the Westerly line of said MORGAN SUBDIVISION NO. 1, a distance of 338.09 feet; thence North 89°42'00" West, departing from said Westerly line, a distance of 580.31 feet to the TRUE POINT OF BEGINNING; thence South 43°04'04" West, a distance of 63.00 feet; thence North 46°55'56" West, departing from the aforesaid course, a distance of 56.00 feet; thence South 43°04'04" East, departing from the aforesaid course, a distance of 63.00 feet; thence South 46°55'56" East, departing from the aforesaid course, a distance of 56.00 feet to the TRUE POINT OF BEGINNING, County of El Paso, State of Colorado.

Parcel II:
 A parcel of land located in the West ½ of Section 9, Township 11 South, Range 67 West of the 6th Principal Meridian, described as follows:

BEGINNING at the Northwest corner of said SUBDIVISION EXEMPTION ARAPAHOE WELL – FOREST VIEW ACRES WATER DISTRICT, recorded November 2, 2016, at Reception Number 216713864; thence South 00°12'16" West, 641.77 feet along the West line of said plot and along the East line of the West ½ of said Section 9 to the center of said Section 9; thence continue South 00°12'16" West, 1,334.97 feet along the West line of said plot and along the East line of the West ½ of said Section 9 to a point on the north line of CLOVEN HOOF ESTATES, a subdivision recorded October 11, 1959, in Plat Book B2, at Page 3, of the Public Records of El Paso County, Colorado, thence South 89°32'22" West, 1,336.57 feet along the North line of said CLOVEN HOOF ESTATES to a point on the Easterly right-of-way line of Red Rocks Ranch Road as described in Deed recorded March 12, 1971, in Book 2395, at Page 210, of the Public Records of El Paso County, Colorado; (the following nine bearings and distances are along the Easterly right-of-way of said Red Rocks Ranch Road); thence Northwesterly 136.14 feet along the arc of a curve concave to the Southeast to a point of tangency, said arc having a radius of 116.24 feet, a central angle of 68°06'24" and being subtended by a chord that bears North 42°18'01" East, 130.15 feet to a point of curve to the left; thence North 76°20'43" E, 183.27 feet to a point of curve to the left; thence Northeasterly, 919.83 feet along the arc of said curve, to a point tangent, said arc having a radius of 780.00 feet, a central angle of 67°34'03" and being subtended by a chord that bears North 42°33'41" East, 867.45 feet; thence North 08°46'40" East, 374.00 feet to a point of curve to the right; thence Northeasterly, 259.13 feet along the arc of said curve, to a point tangent, said arc having a radius of 420.00 feet, a central angle of 35°21'00" and being subtended by a chord that bears North 28°27'10" East, 255.04 feet; thence North 44°07'40" East, 344.33 feet to a point of curve to the left; thence Northerly, 156.40 feet along the arc of said curve to a point tangent, said arc having a radius of 196.66 feet, a central angle of 45°34'00" and being subtended by a chord that bears North 21°20'40" East, 152.31 feet; thence North 01°20'40" East, 203.51 feet; thence North 38°28'10" East, 33.54 feet to a point on a Southwesterly right-of-way line of Colorado State Highway No. 105; thence South 51°31'50" East, 12.58 feet along said right-of-way to the POINT OF BEGINNING, County of El Paso, State of Colorado.



VICINITY MAP
(NOT TO SCALE)

DEDICATION:

The undersigned owner has caused said tract of land to be platted into lots as shown on the plat. This tract of land as herein platted shall be known as "RED ROCK ACRES FILING No. 1", County of El Paso, State of Colorado.

OWNERSHIP AND ACKNOWLEDGMENT STATEMENT:

The aforementioned, GTG RED ROCK, LLC, a Colorado limited liability company, has executed this instrument this ____ day of _____, 20____, A.D.

Jim Byers, Manager, GTG RED ROCK, LLC, a Colorado Limited Liability Company

OWNERS CERTIFICATE

The undersigned, being all the owners, mortgagees, beneficiaries of deeds of trust and holders of other interests in the land described herein, have laid out, subdivided, and platted said lands into lots and easements as shown hereon under the name and subdivision of RED ROCK ACRES FILING No. 1. The utility easements shown hereon are hereby dedicated for public utilities and communication systems and other purposes as shown hereon. The entities responsible for providing the service for which the easements are established are hereby granted the perpetual right of ingress and egress from and to adjacent properties for installation, maintenance, and replacement of utility lines and related facilities.

By: _____
 Jim Byers, Manager, GTG RED ROCK, LLC, a Colorado Limited Liability Company

By: _____

Title: _____

ATTEST: (if corporation)

Secretary/Treasurer

STATE OF _____ }
 COUNTY OF _____ } SS

The above and aforementioned instrument was acknowledged before me this ____ day of _____, 20____, A.D.

By: Jim Byers, Manager, GTG RED ROCK, LLC, a Colorado Limited Liability Company

Witness my hand and seal:

My Commission expires _____

Notary Public _____

EASEMENT STATEMENT:

Unless otherwise indicated, all side, front and rear lot lines are hereby platted on either side with a 10 foot public utility and drainage easement unless otherwise indicated. All exterior subdivision boundaries are hereby platted with a 20 foot public utility and drainage easement. The eight distance easement shall be kept free and clear of obstructions and vegetation over 2.5 feet in height. The sole responsibility for maintenance of these easements are hereby vested with the individual property owners.

FLOOD PLAIN CERTIFICATION:

Portions of this property are located within a designated FEMA Floodplain as determined by the Flood Insurance Rate Map, Community Map Number 08041C0257C, effective date December 7, 2018, and as amended by the FEMA approved Letter of Map Revision LOMR issued on April 29, 2019 with and effective date of September 11, 2019 under Case No. 18-08-1108P. No structures or fences are permitted within the designated Floodplain areas.

Portions of this parcel of land are located within the following flood hazard areas:
 Zone AE – Floodway area – (The channel of a stream plus any adjacent floodway areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increase in flood heights)
 Zone AE** – (Base flood elevations determined)
 Zone X – (Areas determined outside the 0.2% annual chance floodplain).
 Zone X** – (Other flood areas – (Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood)
 Approximate floodplain lines are shown on sheet 2.

TRACT TABLE

TRACT	SIZE (SQ. FT.)	USE	MAINTENANCE	OWNERSHIP
A	497,893	FUTURE DEVELOPMENT	GTG RED ROCK, LLC	GTG RED ROCK, LLC
B	1,224,707	FUTURE DEVELOPMENT	GTG RED ROCK, LLC	GTG RED ROCK, LLC

SURVEYOR'S CERTIFICATE:

I Spencer J. Barron, a duly registered Professional Land Surveyor in the State of Colorado, do hereby certify that this plat truly and correctly represents the results of a survey made on January 11, 2023, by me or under my direct supervision and that the monuments exist as shown hereon; that mathematical closure errors are less than 1:10,000; and that said plat has been prepared in full compliance with the applicable laws of the State of Colorado dealing with monuments, subdivision, or surveying of land and all the applicable provisions of the El Paso County Land Development Code.

This certification is neither a warranty nor guarantee, either expressed or implied.

I attest the above on this ____ day of _____, 20____.

Spencer J. Barron
 Colorado Professional Land Surveyor No. 38141
 For and on behalf of Barron Land, LLC

COUNTY APPROVAL

This plat for RED ROCK ACRES FILING No. 1 was approved for filing by the El Paso County, Colorado Board of

County Commissioners on the ____ day of _____, 20____, subject to any notes specified hereon and any conditions included in the resolution of approval. The prior dedications of land to the public (easements) are accepted, but public improvements thereon will not become the maintenance responsibility of El Paso County until preliminary acceptance of the public improvements in accordance with the requirements of the Land Development Code and Engineering Criteria Manual.

 Chair, Board of County Commissioners Date

 Planning and Community Development Director Date

RECORDING

STATE OF COLORADO }
 COUNTY OF EL PASO } SS

I hereby certify that this instrument was filed for record at my office this ____ day of _____, 20____, A.D., and is duly recorded at Reception Number _____ of the records of El Paso County, Colorado.

Fee: _____

Surcharge: _____

Steve Schleiker, Recorder

By: _____
 Deputy

FEES:

School Fee (School District ____): _____

Bridge Fee: _____

Urban Park Fee: _____

Regional Park Fee: _____

Drainage Fee: _____

Road Impact Fee: _____

OWNER OF RECORD:
 GTG RED ROCK, LLC, a Colorado limited liability company
 8605 Explorer Dr., Suite 250
 Colorado Springs, CO 80920
 719-598-5192

SF2513

REVISIONS			
DATE:	10/23/2024		
No.	Remarks	Date	By
5	ADDRESS COUNTY COMMENTS	02/04/26	KPB
6	ADDRESS COUNTY COMMENTS, REVISE BOUNDARY	03/02/26	KPB
7	ADD NOTES FROM COUNTY	03/03/26	KPB
8	ADDRESS COUNTY COMMENTS	03/09/26	KPB

BARRON LAND
 BOUNDARY & MAPPING & SURVEYING & CONSTRUCTION
 2790 N. Academy Blvd., Suite 311 P: 719.360.6827
 Colorado Springs, CO 80917 F: 719.466.6527
 www.BARRONLAND.com
 PROJECT No.: 22-016 SHEET 1 OF 4

FINAL PLAT
RED ROCK ACRES FILING No. 1
 A PORTION OF SECTION 9, TOWNSHIP 11 SOUTH,
 RANGE 67 WEST OF THE 6TH P.M.
 COUNTY OF EL PASO, STATE OF COLORADO

SURVEYOR'S NOTES

1. NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.
2. Any person who knowingly removes, alters or defaces any public land survey monument or land boundary monument or accessory commits a class 2 misdemeanor pursuant to the Colorado Revised Statute 18-4-508.
3. The lineal units used in this drawing are U.S. Survey Feet. A U.S. Survey Foot is defined as 1200/3937 meters.
4. This survey does not constitute a title search by Barron Land, LLC to determine ownership, rights-of-way, or easements of record. For information regarding ownership, rights-of-way, and easements of record, Barron Land, LLC relied upon Title Commitment 1735477, with an effective date of June 20, 2022 as provided by Stewart Title Guaranty Company.
5. This survey was performed in the field on January 11, 2023.
6. The overall subject parcel contains a calculated area of 651,578 square feet (14.958 acres) of land, more or less.
7. BASIS OF BEARINGS PER ONSITE MONUMENTATION: Bearings are based upon the West line of the Southeast Quarter, Section 9, T11S, R67W, monumented on the North with a #6 rebar and 2.5" aluminum cap stamped "23875" and on the South with a 3.25" BLM brass cap stamped "1961" and is assumed to bear S 00°12'16" W. This line was used to tie into the record legal description.
8. Unless stated otherwise, all found or set monuments are flush with grade.
9. This property is subject to the findings summary and conclusions of the Soil and Geology Study by RMG Engineers dated October 31, 2024 (Job No. 196223). There are no significant geological hazards; however, the potential for geologic hazards or geologic constraints includes expansive near surface soils and bedrock, soils susceptible to erosion, steep slopes, corrosive minerals, and flood prone areas. Regional geologic conditions that impact the site include seismicity and faults, and radon. These geological conditions can be mitigated with engineering design and construction methods commonly employed in this area. In addition to the previously identified mitigation alternatives, surface and subsurface drainage systems should be considered and anticipated. Exterior, perimeter foundation drains should be installed around below-grade habitable or storage spaces.
10. The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assignees that subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the El Paso County road impact fee program resolution (Resolution No. 25-337), or any amendments thereto, at or prior to the time of building permit submittal. The fee obligation, if not paid at Final Plat recording, shall be documented on all sales documents and on Plat notes to ensure that a title search would find the fee obligation before sale of the Property.
11. All property owners are responsible for maintaining proper storm water drainage in and through their property. Public drainage easements as specifically noted on the plat shall be maintained by the individual lot owners unless otherwise indicated. Homebuilders are responsible to ensure proper drainage around structures, including elevations of foundations and window wells in relation to side-lot drainage easements and swales. Homeowners shall not change the grade of the lot or drainage swales within said easements, as constructed by the builder, in a manner that would cause adverse drainage impacts to properties. Structures, fences, materials or landscaping that could impede the flow of runoff shall not be placed in drainage easements.
12. No driveway shall be established unless an access permit has been granted by El Paso County.
13. Mailboxes shall be installed in accordance with all El Paso County and United States Postal Service regulations.
14. The following reports have been submitted in association with the Final Plat for this Subdivision and are on file at the County Planning and Community Development Department: transportation impact study; drainage report; water resources report; wastewater disposal report; geology and soils report; fire protection report; noise report natural features report, OWTs report, Wildland Fire & Hazard Mitigation Report.
15. Developer shall comply with Federal and State laws, regulations, ordinances, review and permit requirements, and other Agency requirements, if any, of applicable Agencies including, but not limited to, the Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife service regarding the endangered species act, particularly as it relates to the listed species (e.g., Preble's Meadow jumping mouse).
16. The addresses exhibited on this Plat are for informational purposes only. They are not the legal description and are subject to change.
17. The property is subject to the effect of a LOMR issued on April 29, 2019 with and effective date of September 11, 2019 under Case No. 18-08-1108P.
18. BENCHMARK STATEMENT: Elevations are based upon NGS Benchmark V 395 (Elevation=7346.57 NAVD88).
19. The property is subject to the effects of Resolution No. 14-209, regarding Subdivision Exemption for Forest View Red Rock Exemption (EXBL-14-002) recorded June 11, 2014, at Reception Number 214050022.
20. The property is subject to the effects of Public Disclosure Document, regarding Forest View Acres Water District, recorded December 29, 2014, at Reception Number 214119317.
21. The property is subject to the effects of Subdivision Exemption Boundary Line Adjustment Between Unplatted Parcels recorded December 31, 2014, at Reception Number 214120308.
22. The property is subject to the effects of Quit Claim Deed (Water Rights) recorded April 10, 2015, at Reception Number 215034495.

SURVEYOR'S NOTES

23. The property is subject to the effects of Subdivision Exemption Arapahoe Well - Forest View Acres Water District, recorded November 2, 2016, at Reception Number 216713864.
24. The property is subject to the effects of Agreement between Forest View Acres Water District and Red Rock Ranch, Inc., recorded October 19, 2017, at Reception Number 217126926.
25. The property is subject to the effects of Easement Agreement (Line from El Rancho to Rockbrook) recorded December 12, 2017, at Reception Number 217149779, and recorded February 8, 2018, at Reception Number 218015013.
26. The property is subject to the effects of Quit Claim Deed (Water Deed) recorded November 20, 2018, at Reception Number 218135130.
27. The property is subject to the effects of Quit Claim Deed (Water Deed) recorded March 2, 2020, at Reception Number 220029454.
28. The property is subject to the effects of Rights of Upper and Lower Riparian Owners in and to the free and unobstructed flow of the water of Monument Creek, extending through the land, without diminution.
29. The property is subject to the effects of Reservations contained in Deed recorded December 30, 1949, in Book 1237, at Page 91.
30. The property is subject to the effects of Notice of Organization, regarding The Tri-Lakes Fire Protection District, recorded July 18, 1977, at Reception Number 341358.
31. The property is subject to the effects of Resolution No. 21-348, Approval of the Red Rocks Acres Map Amendment (Rezoning) (P-20-010), recorded September 15, 2021, at Reception Number 221173495.
32. Lots 1 and 3 are required to have an engineered site plan to be submitted and approved by El Paso County prior to lot development.
33. Per ECM Section I.7.1.B.5, the residential lots impervious area may not exceed 10 percent unless a study is prepared in compliance with the requirements laid out in the above ECM Section and the impervious area may not exceed 20 percent. This impervious area for each lot must include the proposed driveway.
34. Utility Providers:
 Sanitary Sewer: Septic System; Sewage treatment is the responsibility of each individual property owner. The El Paso County Department of Health and Environment must approve each system and, in some cases the Department may require an engineer designed system prior to permit approval. These systems may cost more to design, install and maintain.
 Water: Private Well System; Individual wells are the responsibility of each property owner. Permits for individual wells must be obtained from the State Engineer who by law has the authority to set conditions for the issuance of these permits. Water in the Denver Basin Aquifers is allocated based on a 100-year aquifer life; however, for El Paso County planning purposes, water in the Denver Basin Aquifers is evaluated based on a 300-year aquifer life. Applicants and all future owners in the subdivision should be aware that the economic life of a water supply based on wells in a given Denver Basin Aquifer may be less than either the 100 years or 300 years indicated due to anticipated water level declines. Furthermore, the water supply plan should not rely solely upon non-renewable aquifers. Alternative renewable water resources should be acquired and incorporated in a permanent water supply plan that provides future generations with a water supply.
 Electric: The subdivider/developer is responsible for extending utilities to each lot, tract or building site. Electric service for this subdivision is provided by Core Electric Cooperative subject to the District's rules, regulations and specifications.
 Gas: The subdivider/developer is responsible for extending utilities to each lot, tract or building site. Gas service for this subdivision is provided by Black Hills Energy subject to the District's rules, regulations and specifications.
35. This project is in a Moderate/High Hazard Fire Intensity Area per the Colorado State Forest Service Wildfire Risk Assessment Program requiring hardened structure and defensible space.
 Low Hazard hardened structure to consist of a minimum Class A roofing and a defensible space of 30 ft clearance and no portion of trees or other vegetation within 10 ft of chimney outlets. Trees within defensible space shall be pruned to minimize ladder fuels.
 Moderate Hazard areas shall meet the requirements of Low Hazard areas if site plans are submitted prior to the adoption of the Colorado Wildfire Resiliency Code. After the adoption of the Colorado Wildfire Resiliency Code Moderate Hazard areas shall meet the requirements of High Hazard areas.
 High Hazard hardened structure to consist of a minimum Class A roofing, noncombustible siding/decking, eaves and overhangs. A defensible space of 30 ft irrigated, 100 ft fuel treatment, selected fire-resistant trees within 30 ft of structures, selected thinning of trees and shrubs, trees within defensible space shall be pruned to minimize ladder fuels, all trees and shrubs pruned of dead material, no portion of trees or other vegetation within 10 ft of chimney outlets. Water supplies for fire protection shall be supplied per the requirements of the Land Development Code or if there is an adopted fire code for the fire district the project is in. Maintenance of defensible space shall be continued in continuum for the existence of the structure. Defensible space and mitigation shall be in accordance with the approved Wildland Fire and Hazard Mitigation Plan.
36. The shared driveway must have a minimum width of 20 feet to ensure adequate fire access. The final configuration and design of the driveway shall be coordinated with the Town of Monument Fire Department and the County of El Paso.
37. Per the Finding of Sufficient Water Quality by RESPEC dated December 18, 2025, it is recommended that the homeowner(s) install treatment to reduce the level of iron in the drinking water, depending on the type of iron present. Because the form of iron is assumed to be ferrous iron, a water softener or iron filter (such as a manganese greensand filter) are both effective at removing clear-water iron. A water softener is the more common method of treatment.
38. Tracts A and B are for future development and will remain no build areas until replatted. These tracts will be owned and maintained by GTG Red Rock, LLC.
39. Lots 1-3 within this subdivision are subject to an Access, Easement and Maintenance Agreement as recorded at Reception No. _____ of the records of the El Paso County Clerk and Recorder.
40. Lots 4-5 within this subdivision are subject to an Access, Easement and Maintenance Agreement as recorded at Reception No. _____ of the records of the El Paso County Clerk and Recorder.
41. No improvements that conflict with or interfere with construction, maintenance or access to utilities shall be placed within the utility easements. Prohibited improvements include, but are not limited to, permanent structures, buildings, counter-forts, decks, attached porches, attached stairs, window wells, air conditioning units, retaining walls/components and other objects that may interfere with the utility facilities or access, use and maintenance thereof.

DATE: 10/23/2024 REVISIONS			
No.	Remarks	Date	By
5	ADDRESS COUNTY COMMENTS	02/04/26	KPB
6	ADDRESS COUNTY COMMENTS, REVISE BOUNDARY	03/02/26	KPB
7	ADD NOTES FROM COUNTY	03/03/26	KPB
8	ADDRESS COUNTY COMMENTS	03/09/26	KPB

SF2513

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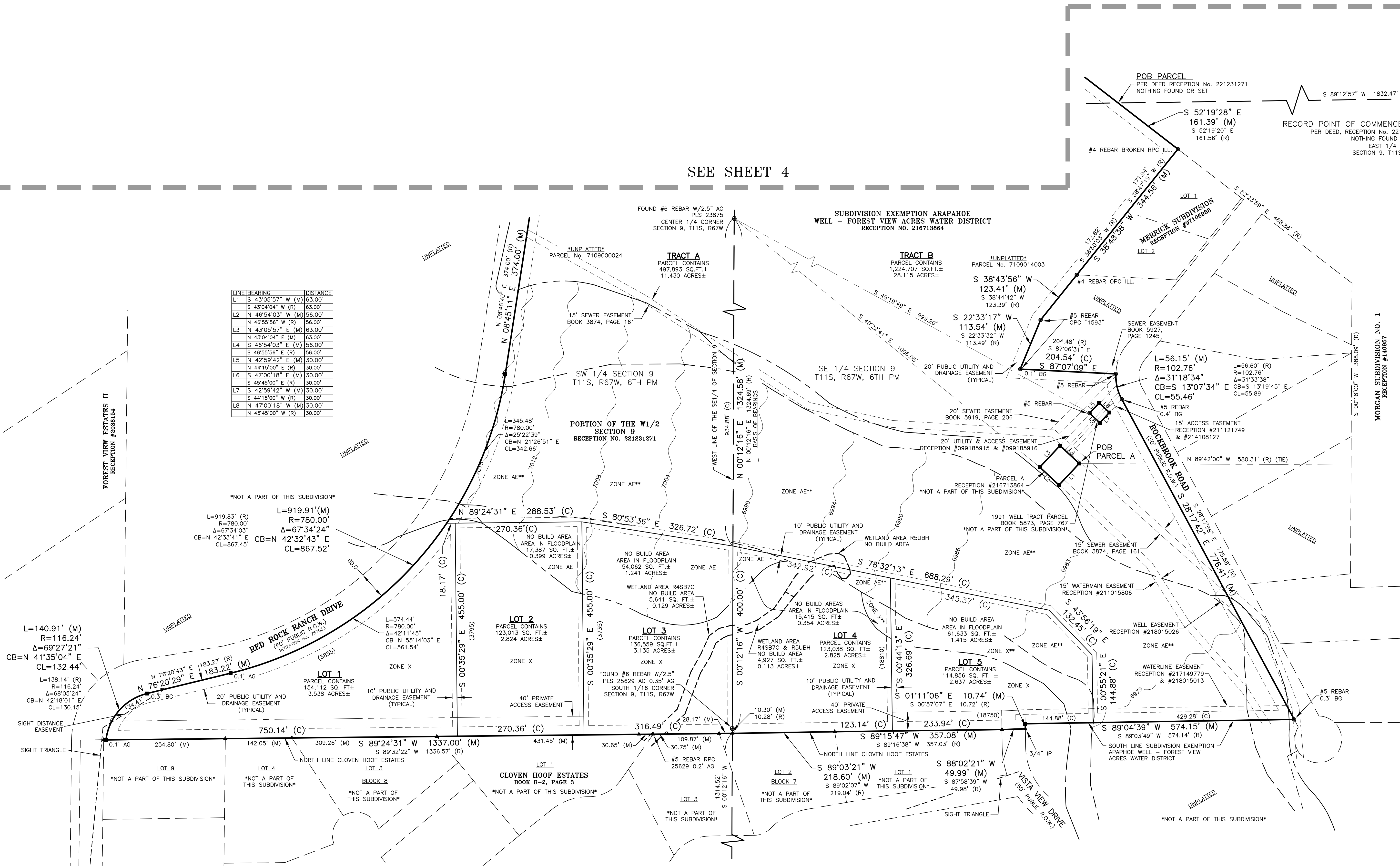
BOUNDARY & MAPPING & SURVEYING & CONSTRUCTION
 2790 N. Academy Blvd., Suite 311 P: 719.360.6827
 Colorado Springs, CO 80917 F: 719.466.6527
 www.BARRONLAND.com

PROJECT No.: 22-016 SHEET 2 OF 4

FINAL PLAT
RED ROCK ACRES FILING No. 1
 A PORTION OF SECTION 9, TOWNSHIP 11 SOUTH,
 RANGE 67 WEST OF THE 6TH P.M.
 COUNTY OF EL PASO, STATE OF COLORADO

SEE SHEET 4

LINE	BEARING	DISTANCE
L1	S 43°05'57" W (M)	63.00'
L2	N 46°54'03" W (M)	56.00'
L3	N 43°05'57" E (M)	63.00'
L4	S 46°54'03" E (M)	56.00'
L5	S 48°59'56" E (R)	58.00'
L6	N 42°59'42" E (M)	30.00'
L7	N 44°15'00" E (R)	30.00'
L8	S 47°00'18" E (M)	30.00'
L9	S 45°45'00" E (R)	30.00'
L10	S 42°59'42" W (M)	30.00'
L11	S 44°15'00" W (R)	30.00'
L12	N 49°45'00" W (R)	30.00'



NOT A PART OF THIS SUBDIVISION

L=919.91'(M)
 R=780.00'
 Δ=67°34'24"
 CB=N 42°33'41" E
 CL=867.45'

L=919.91'(M)
 R=780.00'
 Δ=67°34'24"
 CB=N 42°32'43" E
 CL=867.52'

L=140.91' (M)
 R=116.24'
 Δ=69°27'21"
 CB=N 41°35'04" E
 CL=132.44'

L=138.14' (R)
 R=116.24'
 Δ=65°05'24"
 CB=N 42°18'01" E
 CL=130.15'

L=574.44'
 R=780.00'
 Δ=42°11'45"
 CB=N 55°14'03" E
 CL=561.54'

L=109.87' (M)
 R=30.75' (M)

L=109.87' (M)
 R=30.75' (M)

DATE: 10/23/2024		REVISIONS	
No.	Remarks	Date	By
5	ADDRESS COUNTY COMMENTS	02/04/26	KPB
6	ADDRESS COUNTY COMMENTS, REVISE BOUNDARY	03/02/26	KPB
7	ADD NOTES FROM COUNTY	03/03/26	KPB
8	ADDRESS COUNTY COMMENTS	03/09/26	KPB

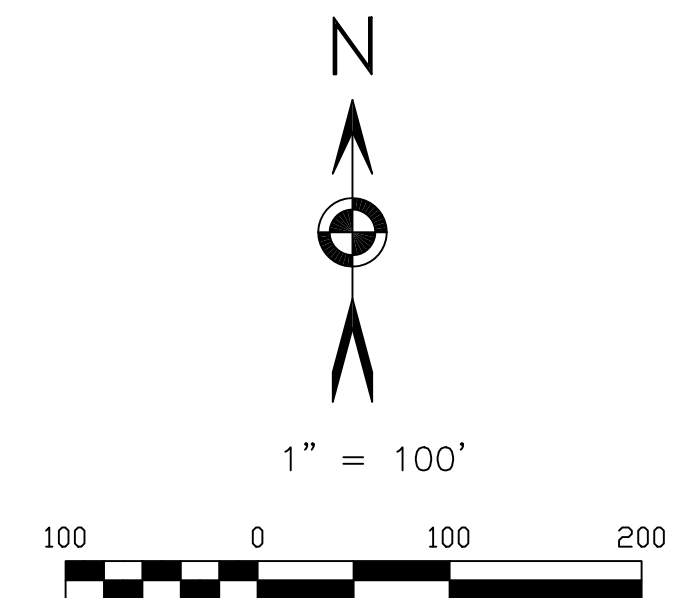
SF2513

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BOUNDARY & MAPPING & SURVEYING & CONSTRUCTION
 2790 N. Academy Blvd., Suite 311 P: 719.360.6827
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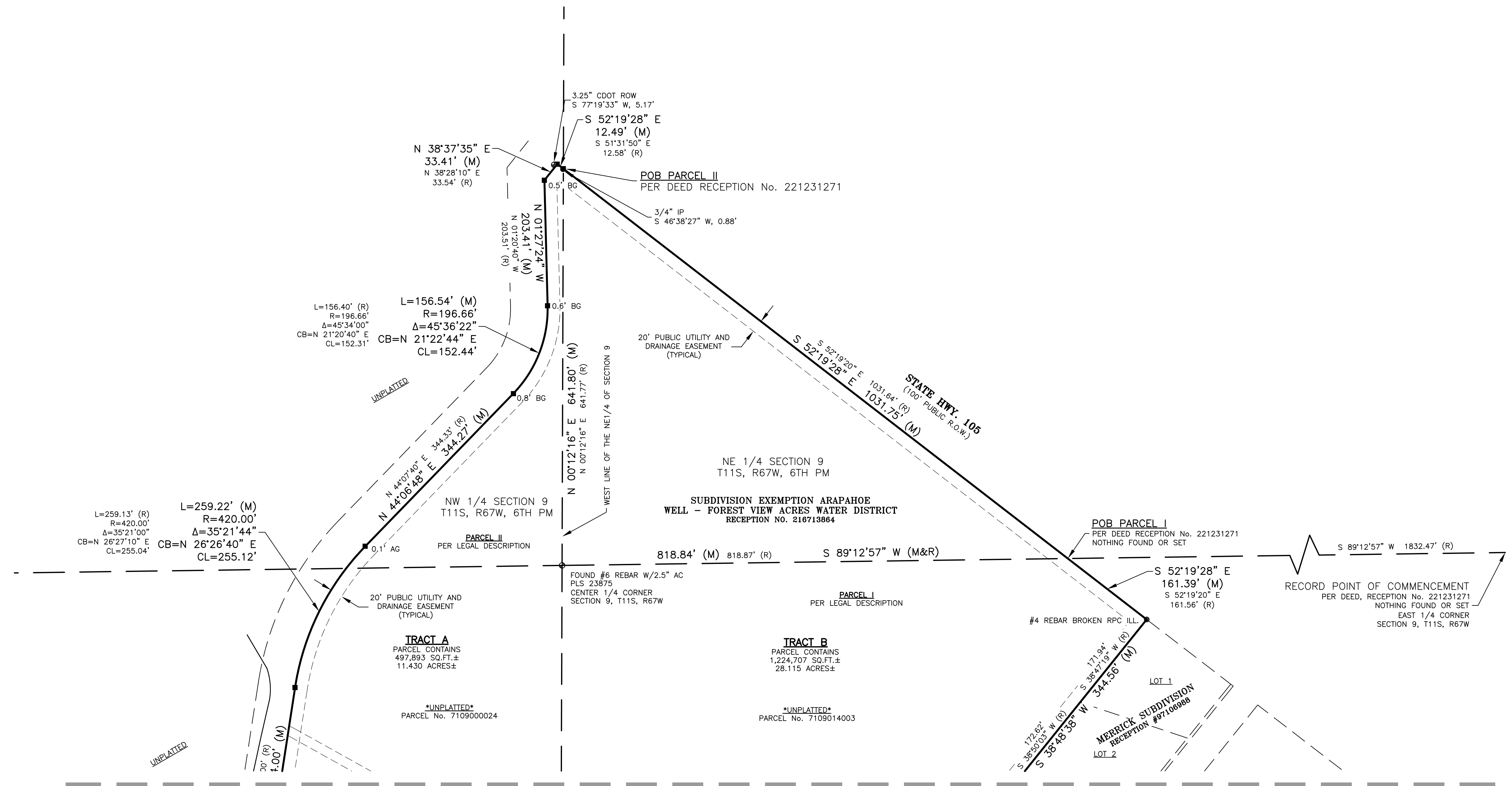
PROJECT No.: 22-016 SHEET 3 OF 4

FINAL PLAT
RED ROCK ACRES FILING No. 1
 A PORTION OF SECTION 9, TOWNSHIP 11 SOUTH,
 RANGE 67 WEST OF THE 6TH P.M.
 COUNTY OF EL PASO, STATE OF COLORADO



LEGEND

- FOUND #5 REBAR WITH YELLOW PLASTIC CAP STAMPED "23875"
- ▲ FOUND 1" PIPE
- FOUND MONUMENT AS NOTED HEREON
- ⊕ FOUND PUBLIC LAND SURVEY SYSTEM MONUMENTS AS NOTED HEREON
- IP IRON PIPE
- ILL ILLEGIBLE
- AG ABOVE GROUND
- BG BELOW GROUND
- RPC RED PLASTIC CAP
- YPC YELLOW PLASTIC CAP
- OPC ORANGE PLASTIC CAP
- AC ALUMINUM CAP
- POB POINT OF BEGINNING
- (M) FIELD-MEASURED DIMENSIONS
- (R) RECORD DIMENSIONS
- (C) CALCULATED DIMENSIONS
- ROW RIGHT-OF-WAY
- (3855) ADDRESS
- SUBJECT PARCEL LINE(S)
- - - ADJACENT PARCEL LINE(S)
- SECTION LINE(S)
- - - EASEMENT LINE(S)
- ~ 6986 ~ BASE FLOOD ELEVATION



SEE SHEET 3

DATE: 10/23/2024		REVISIONS	
No.	Remarks	Date	By
5	BOUNDARY & MAPPING COUNTY COMMENTS	02/04/26	KPB
6	ADDRESS COUNTY COMMENTS, REVISE BOUNDARY	03/02/26	KPB
7	ADD NOTES FROM COUNTY	03/03/26	KPB
8	ADDRESS COUNTY COMMENTS	03/09/26	KPB

BARRON & LAND

BOUNDARY & MAPPING & SURVEYING & CONSTRUCTION
 2790 N. Academy Blvd., Suite 311 P: 719.360.6827
 Colorado Springs, CO 80917 F: 719.466.6527
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PROJECT No.: 22-016 SHEET 4 OF 4

DISTRICT COURT, WATER DIVISION 2, COLORADO	
Court Address: 501 North Elizabeth Street, Suite 116 Pueblo, CO 81003 Phone Number: (719) 404-8832	DATE FILED April 14, 2025 1:28 PM CASE COURT USE ONLY ▲
CONCERNING THE APPLICATION FOR WATER RIGHTS OF:	Case No.: 24CW3020
GTG RED ROCK, LLC	
IN EL PASO COUNTY, COLORADO	
FINDINGS OF FACT, CONCLUSIONS OF LAW, RULING OF REFEREE AND DECREE ADJUDICATING DENVER BASIN GROUNDWATER	

THIS MATTER comes before the Water Court on the Application filed by GTG Red Rock, LLC, a Colorado limited liability company, and having reviewed said Application and other pleadings on file, and being fully advised on this matter, the Water Court makes the following findings and orders:

GENERAL FINDINGS OF FACT

1. The Applicant in this case is GTG Red Rock, LLC, a Colorado limited liability company, c/o Jeff Mandarich, whose address is 8605 Explorer Dr., Suite # 250, Colorado Springs, Colorado 80920 ("Applicant"). The Applicant is the owner of two adjacent parcels of land in El Paso County, Colorado. These two parcels total approximately 54.5 acres, which overlie the Denver Basin groundwater adjudicated in this decree and is the place where the water will be put to beneficial use, except for any potential off-property uses as described in Paragraph 15.

2. The time for filing statements of opposition to the Application expired on the last day of August 2024. A Statement of Opposition was timely filed by Forest View Acres Water District on August 29, 2024 in Water Division 2.

3. On July 2, 2024, the Division 2 Water Court ordered that publication occur in *The Gazette* within El Paso County, and in the *Douglas County News Press* in Douglas County.

4. The Clerk of this Court caused publication of the Application filed in this matter as provided by statute and the publication costs have been paid. On July 30, 2024, proof of publication in *The Gazette* was filed with the Division 2 Water Court. On July 30, 2024, proof of publication in the *Douglas County News Press* was filed with the

Division 2 Water Court. All notices of the Application have been given in the manner required by law.

5. Applicant filed a Notice of No Lienholders with the Division 2 Water Court on August 28, 2024 in compliance with C.R.S. § 37-92-302.

6. On February 14, 2025, a Stipulation between the Applicant and Forest View Acres Water District was filed with the Division 2 Water Court. By Order dated February 18, 2025, the Division 2 Water Court approved such stipulation.

7. Pursuant to C.R.S. § 37-92-302(2), the Office of the State Engineer filed Determinations of Facts for the Denver, Arapahoe, and Laramie-Fox Hills aquifers with this Court on September 12, 2024, which have been considered by the Court in the entry of this decree. Applicant did not include the Dawson aquifer in its application and so no Determination of Fact was provided for that aquifer.

8. Pursuant to C.R.S. § 37-92-302(4), the office of the Division Engineer for Water Division No. 2 filed its Consultation Report dated October 24, 2024, and a response to the Consultation Report was not required by the Water Court. The Consultation Report has been considered by the Water Court in the entry of this decree.

9. The Water Court has jurisdiction over the subject matter of these proceedings and over all who have standing to appear as parties whether they have appeared or not. The land and water rights involved in this case are not within a designated groundwater basin.

GROUNDWATER RIGHTS

10. The Application requested quantification and adjudication of vested groundwater rights for all not-nontributary and nontributary groundwater from the Denver, Arapahoe, and Laramie-Fox Hills Denver Basin aquifers underlying the Applicant's Property. The following findings are made with respect to the groundwater rights adjudicated in this decree for the Denver, Arapahoe, and Laramie-Fox Hills aquifers underlying the Applicant's Property as described herein.

11. The land overlying the groundwater subject to this adjudication is owned by the Applicant and consists of 54.5 acres located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, the SW $\frac{1}{4}$ NE $\frac{1}{4}$, the NE $\frac{1}{4}$ SW $\frac{1}{4}$, and the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9, Township 11 South, Range 67 West of the 6th P.M. in El Paso County, Colorado, as more particularly described in **Exhibit A** ("Applicant's Property"). Within the footprint of the Applicant's Property, there are two tracts of land owned by Forest View Acres Water District ("Forest View"), which are currently assigned El Paso County Assessor Parcel Numbers 71090-14-004 and 71090-00-088 ("Forest View Tracts") and for which Forest View Acres Water District has an easement across the Applicant's Property. The Forest View Tracts and easement are

also depicted on **Exhibit A**. Although they are located within the footprint of the Applicant's Property, the Forest View Tracts are not part of Applicant's Property, and the Applicant does not claim the groundwater underlying the Forest View Tracts. All references herein to Applicant's Property explicitly exclude the Forest View Tracts. Further, Forest View owns and utilizes the well constructed under Well Permit No. 39865-F ("Forest View Well"), which is located within a Forest View Tract. Based on Forest View's "deemed consent" claim pursuant to C.R.S. § 37-90-137(8), Forest View holds rights to the groundwater underlying the collective 144.3 acres depicted on the two maps attached hereto as **Exhibit B** ("Deemed Consent Lands"), which include properties adjacent to Applicant's Property. Well Permit No. 39865-F was issued to allow Forest View to withdraw groundwater from the Arapahoe aquifer underlying the Deemed Consent Lands. In addition, Forest View holds Denver Basin groundwater rights that were decreed in Water Division 2, District Court, State of Colorado, Case No. 99CW161 on May 16, 2003. Applicant does not claim Forest View's aforementioned groundwater rights, and nothing herein adjudicates, modifies, or otherwise impacts Forest View's aforementioned groundwater rights, which remain in full force and effect. All groundwater adjudicated herein shall be withdrawn from the overlying land that is comprised of Applicant's Property only, not the Forest View Tracts, any of the Deemed Consent Lands, or any other lands under which Forest View holds Denver Basin groundwater rights.

12. Of the statutorily described Denver Basin aquifers, the Dawson, Denver, Arapahoe, and Laramie-Fox Hills aquifers all exist beneath the Applicant's Property. However, the Dawson aquifer beneath this property has previously been appropriated by the Forest View Acres Water District and Applicant made no claim upon the Dawson aquifer in its application in this case. The Applicant does not claim, and this Decree does not adjudicate or otherwise impact, any portion of Forest View's Denver Basin groundwater underlying the Forest View Tracts or the Deemed Consent Lands, including but not limited to the Forest View Well. The Denver, Arapahoe, and Laramie-Fox Hills aquifers underlying the Applicant's Property contain nontributary groundwater. The quantity of water in the Denver Basin aquifers included in Applicant's Application for Adjudication of Groundwater, exclusive of artificial recharge underlying the Applicant's Property, is as follows:

AQUIFER	NET SAND (ft)	Annual Average Withdrawal 100 Years (Acre Feet)	Annual Average Withdrawal 300 Years (Acre Feet)	Total Withdrawal (Acre Feet)
Denver (NT)	153	14.3	4.76	1,428
Arapahoe (NT)	470	43.6	14.53	4,355
Laramie-Fox Hills (NT)	184	15.1	5.00	1,505

The terms and conditions set forth in this decree governing the withdrawal and use of groundwater from the Denver Basin aquifers underlying the Applicant's Property are

applicable only to permitted non-exempt wells constructed into the aquifers.

13. Subject to any future augmentation plan requirements and the other requirements and limitations in this decree, Applicant shall be entitled to withdraw all legally available groundwater in the Denver, Arapahoe, and Laramie-Fox Hills aquifers underlying Applicant's Property. Said amounts can be withdrawn over the 100-year life for the aquifers as set forth in C.R.S. § 37-90-137(4), or withdrawn over a longer period of time based upon local governmental regulations or Applicant's water needs, provided withdrawals during such longer period are in compliance with the total amounts available to Applicant as decreed herein and the augmentation requirements of this decree. This decree describes a pumping period of 300 years as may be required by El Paso County, Colorado Land Development Code. The average annual amounts of ground water available for withdrawal from the underlying Denver, Arapahoe, and Laramie-Fox Hills aquifers, based upon the 100-year and 300-year aquifer life calculations, are determined and set forth in Paragraph 12, above, based upon the September 10, 2024, Office of the State Engineer Determination of Facts described in Paragraph 7, as filed with the Court on September 12, 2024.

14. Applicant shall be entitled to withdraw an amount of groundwater in excess of the average annual amount decreed herein from the Denver, Arapahoe, and Laramie-Fox Hills aquifers underlying Applicant's Property, so long as the sum of the total withdrawals from wells in each of the aquifers does not exceed the product of the number of years since the date of issuance of the original well permit or the date of entry of the decree herein, whichever comes first, and the average annual volume of water which Applicant is entitled to withdraw from each of the aquifers underlying Applicant's Property. This right is subject to the requirement that such banking and excess withdrawals do not violate the terms and conditions decreed herein or of any plan for augmentation decreed by the Court that authorizes withdrawal of the Denver Basin groundwater decreed herein.

15. Subject to the terms and conditions decreed herein and any subsequently decreed augmentation plan, and final approval by the State Engineer's Office pursuant to the issuance of well permits in accordance with C.R.S. §§ 37-90-137(4) or 37-90-137(10), the Applicant shall have the right to use the groundwater from the Denver, Arapahoe, and Laramie-Fox Hills aquifers for beneficial uses upon the Applicant's Property consisting of domestic, irrigation for lawn, garden, and greenhouse; domestic animal and livestock watering, fire protection, and also for storage and augmentation purposes associated with such uses. The amount of groundwater decreed for such uses upon the Applicant's Property is reasonable as such uses are to be made for the long-term use and enjoyment of the Applicant's Property and is to establish and provide for adequate water reserves. The nontributary groundwater may be used, reused, and successively used to extinction, both on and off the Applicant's Property subject, however, to the limitations imposed on the use of the Denver, Arapahoe, and Laramie-Fox Hills aquifer groundwater by any future augmentation plan that utilizes nontributary groundwater to replace depletions and

the requirement under C.R.S. § 37-90-137(9)(b) that no more than 98% of the amount withdrawn annually shall be consumed. Return flows from use of the Denver, Arapahoe, and Laramie-Fox Hills water decreed herein may only be used to replace depletions and may not be used, sold, traded, or assigned in whole or in part for any other purpose. Applicant may use such water by immediate application or by storage and subsequent application to the beneficial uses and purposes stated herein.

16. Applicant has waived the 600-foot well spacing requirement for any well(s) to be constructed upon the Applicant's Property. The actual pumping rates for any well(s) constructed on Applicant's Property will vary according to aquifer conditions, well production capabilities, and any limitations imposed pursuant to a subsequently entered augmentation plan, not to exceed 100 g.p.m. The Applicant may withdraw groundwater at rates of flow necessary to withdraw the entire amounts decreed herein. The actual depth of any well to be constructed within the respective aquifers will be determined by topography and actual aquifer conditions.

17. Withdrawals of groundwater available from the nontributary Denver, Arapahoe, and Laramie-Fox Hills aquifers beneath the Applicant's Property in the amounts determined in accordance with the provisions of this decree will not result in injury to any other vested water rights or to any other owners or users of water.

CONCLUSIONS OF LAW

18. The application for underground water rights and adjudication of Denver Basin groundwater was filed with the Water Clerk for Water Division 2, pursuant to C.R.S. §§ 37-92-302(1)(a) and 37-90-137(9)(c.5).

19. The Applicant's request for adjudication of these water rights is contemplated and authorized by law, and this Court and the Water Referee have exclusive jurisdiction over these proceedings. C.R.S. §§ 37-92-302(1)(a), 37-92-203, and 37-92-305.

20. Subject to the terms of this decree and any subsequently decreed augmentation plan, the Applicant is entitled to the sole right to withdraw all the legally available groundwater in the Denver, Arapahoe, and Laramie-Fox Hills aquifers underlying the Applicant's Property as decreed herein, and the right to use that water to the exclusion of all others.

21. The Applicant has complied with C.R.S. § 37-90-137(4), and the groundwater is legally available for withdrawal by nontributary well(s) and not-nontributary well(s) upon the entry of a decree approving an augmentation plan pursuant to C.R.S. § 37-90-137(9)(c.5), and the issuance of well permits by the State Engineer's Office. Applicant is entitled to a decree from this Court confirming its vested rights to the groundwater underlying Applicant's Property pursuant to C.R.S. § 37-90-137(4).

22. The Denver Basin water rights applied for in this case are not conditional water rights, but are vested water rights determined pursuant to C.R.S. § 37-90-137(4). No applications for diligence are required. The claims for nontributary and non-tributary groundwater meet the requirements of Colorado Law.

23. The determination and quantification of the nontributary and non-tributary groundwater rights in the Denver Basin aquifers as set forth herein is contemplated and authorized by law. C.R.S. §§ 37-90-137, and 37-92-302 through 37-92-305.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

24. All of the foregoing Findings of Fact and Conclusions of Law are incorporated herein by reference, and are considered to be a part of this decretal portion as though set forth in full.

25. The Application for Adjudication of Denver Basin Groundwater filed by the Applicant is approved, subject to the terms of this decree.

A. Applicant is awarded a vested right to 1,428 acre-feet of groundwater from the nontributary Denver aquifer underlying Applicant's Property, as quantified in Paragraph 12 or as modified by the Court under its retained jurisdiction. Subject to the provisions of Rule 8 of the Denver Basin Rules, 2 CCR 402-6, limiting consumption to ninety-eight percent of the amount withdrawn, and the other terms and conditions of this decree, Applicant's Denver aquifer groundwater may be utilized for all purposes described in Paragraph 15.

B. Applicant is awarded a vested right to 4,355 acre-feet of groundwater from the nontributary Arapahoe aquifer underlying Applicant's Property, as quantified in Paragraph 12 or as modified by the Court under its retained jurisdiction. Subject to the provisions of Rule 8 of the Denver Basin Rules, 2 CCR 402-6, limiting consumption to ninety-eight percent of the amount withdrawn, and the other terms and conditions of this decree, Applicant's Arapahoe aquifer groundwater may be utilized for all purposes described in Paragraph 15.

C. Applicant is awarded a vested right to 1,505 acre-feet of groundwater from the nontributary Laramie-Fox Hills aquifer underlying Applicant's Property, as quantified in Paragraph 12 or as modified by the Court under its retained jurisdiction. Subject to the provisions of Rule 8 of the Denver Basin Rules, 2 CCR 402-6, limiting consumption to ninety-eight percent of the amount withdrawn, and the other terms and conditions of this decree, Applicant's Laramie-Fox Hills aquifer groundwater may be utilized for all purposes described in Paragraph 15.

26. The Applicant has furnished acceptable proof as to all claims and, therefore, the Application for Adjudication of Denver Basin Groundwater as filed by the Applicant, is granted and approved in accordance with the terms and conditions of this decree. Approval of this Application will not result in any injury to senior vested water rights.

27. The Applicant shall comply with C.R.S. § 37-90-137(9)(b), requiring the relinquishment of the right to consume two percent (2%) of the amount of the nontributary groundwater withdrawn annually. Ninety-eight percent (98%) of the nontributary groundwater withdrawn annually may therefore be consumed. No plan for augmentation shall be required to provide for such relinquishment. Applicant shall be required to demonstrate to the State Engineer prior to issuance of a well permit that no more than ninety-eight percent of the groundwater withdrawn annually will be consumed.

28. Pursuant to C.R.S. § 37-92-305(8), the State Engineer shall curtail all out-of-priority diversions, the depletions from which are not so replaced as to prevent injury to vested water rights.

29. The Denver Basin groundwater decreed herein must be withdrawn from the "overlying land" as defined in Rule 4.A.8 of the Statewide Nontributary Ground Water Rules, and any wells shall be constructed on the overlying land.

30. The Court retains jurisdiction over this matter to make adjustments in the allowed average annual amount of withdrawal from the Denver Basin aquifers, either upwards or downwards, to conform to actual local aquifer characteristics, and the Applicant need not file a new application to request such adjustments. The retained jurisdiction of this paragraph is applicable only to the quantities of water available underlying Applicant's Property. At such time as adequate data may be available, Applicant or the State Engineer may invoke the Court's retained jurisdiction as provided in this Paragraph 30 for purposes of making a final determination of water rights as to the quantities of water available and allowed average annual withdrawals from any of the Denver Basin aquifers quantified and adjudicated herein. Any person seeking to invoke the Court's retained jurisdiction for such purpose shall file a verified petition with the Court setting forth with particularity the factual basis for such final determination of Denver Basin water rights under this decree, together with the proposed decretal language to implement the petition. Within four months of the filing of such verified petition, the State Engineer's Office shall utilize such information as available to make a final determination of water rights finding, and shall provide such information to the Court, Applicant, opposer, and the petitioning party.

A. If no protest is filed with the Court to such findings by the State Engineer's Office within sixty (60) days, this Court shall incorporate by entry of an Amended Decree such "final determination of water rights", and the provisions of this Paragraph 30 concerning adjustments to the Denver Basin ground water rights based

upon local aquifer conditions shall no longer be applicable. In the event of a protest being timely filed, or should the State Engineer's Office make no timely determination as provided in Paragraph 30, above, the "final determination of water rights" sought in the petition may be made by the Water Court after notice to all parties and following a full and fair hearing, including entry of an Amended Decree, if applicable in the Court's reasonable discretion.

31. Pursuant to C.R.S. § 37-92-502(5)(a), the Applicant shall install and maintain such water measurement devices and recording devices as are deemed necessary by the State Engineer or Division Engineer, and the same shall be installed and operated in accordance with instructions from said entities. Applicant is to install and maintain a totalizing flow meter on any well drilled on Applicant's Property, or any replacement well drilled thereafter, and is required to include geophysical logging on each newly constructed well. Applicant shall read and record its well meter readings each year and shall submit the meter readings to the Water Commissioner by March 31st and October 31st of each year, or more frequently as requested by the Water Commissioner.

32. Subject to the terms and conditions decreed herein, any separately decreed augmentation plan, and final approval by the State Engineer's Office pursuant to the issuance of well permits in accordance with C.R.S. §§ 37-90-137(4) or 37-90-137(10), the Applicant shall have the right to use the groundwater from the Denver, Arapahoe, and Laramie-Fox Hills aquifers for beneficial uses as described in this decree.

33. A site specific evaluation must be conducted with any future well permits to identify the correct aquifer interval on Applicant's Property. Applicant shall complete geophysical logging of all wells drilled into the Denver, Arapahoe, and Laramie-Fox Hills aquifers underlying Applicant's Property.

34. Applicant shall be permitted to produce the full legal entitlement from the Denver, Arapahoe, and Laramie-Fox Hills aquifers underlying Applicant's Property through any combination of wells. Use by a combination of wells will be treated as a well field.

35. The vested water rights decreed herein shall be subject to all applicable administrative rules and regulations, as currently in place or as may in the future be promulgated, of the offices of Colorado State and Division Engineers for administration of such water rights, to the extent such rules and regulations are uniformly applicable to other similarly situated water rights and water users. The State Engineer shall identify in any permits issued pursuant to this decree the specific uses which can be made of the groundwater to be withdrawn, and, to the extent the well permit applications request a use that has not been specifically identified in this decree, shall not issue a permit for any proposed use, which use the State Engineer determines to be speculative at the time of

the well permit application or which would be inconsistent with the requirements of this decree, any separately decreed plan for augmentation, or any modified decree.

36. This decree of the Water Court shall be recorded in the real property records of El Paso County, Colorado. Copies of this decree shall be mailed as provided by statute.

DATED: February 25, 2025.

BY THE REFEREE:



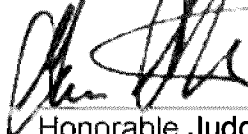
Kate Brewer, Water Referee
Water Division 2

DECREE

THE COURT FINDS THAT NO PROTEST WAS FILED IN THIS MATTER, THEREFORE THE FORGOING RULING IS CONFIRMED AND APPROVED, AND IS HEREBY MADE THE JUDGMENT AND DECREE OF THIS COURT.

DATED: April 14, 2025.

BY THE COURT:



Honorable Judge Styduhar
Water Judge, Water Division 2
State of Colorado



COPY OF MAP RECEIVED 7-23-2008

ADJOINING 71000

71090

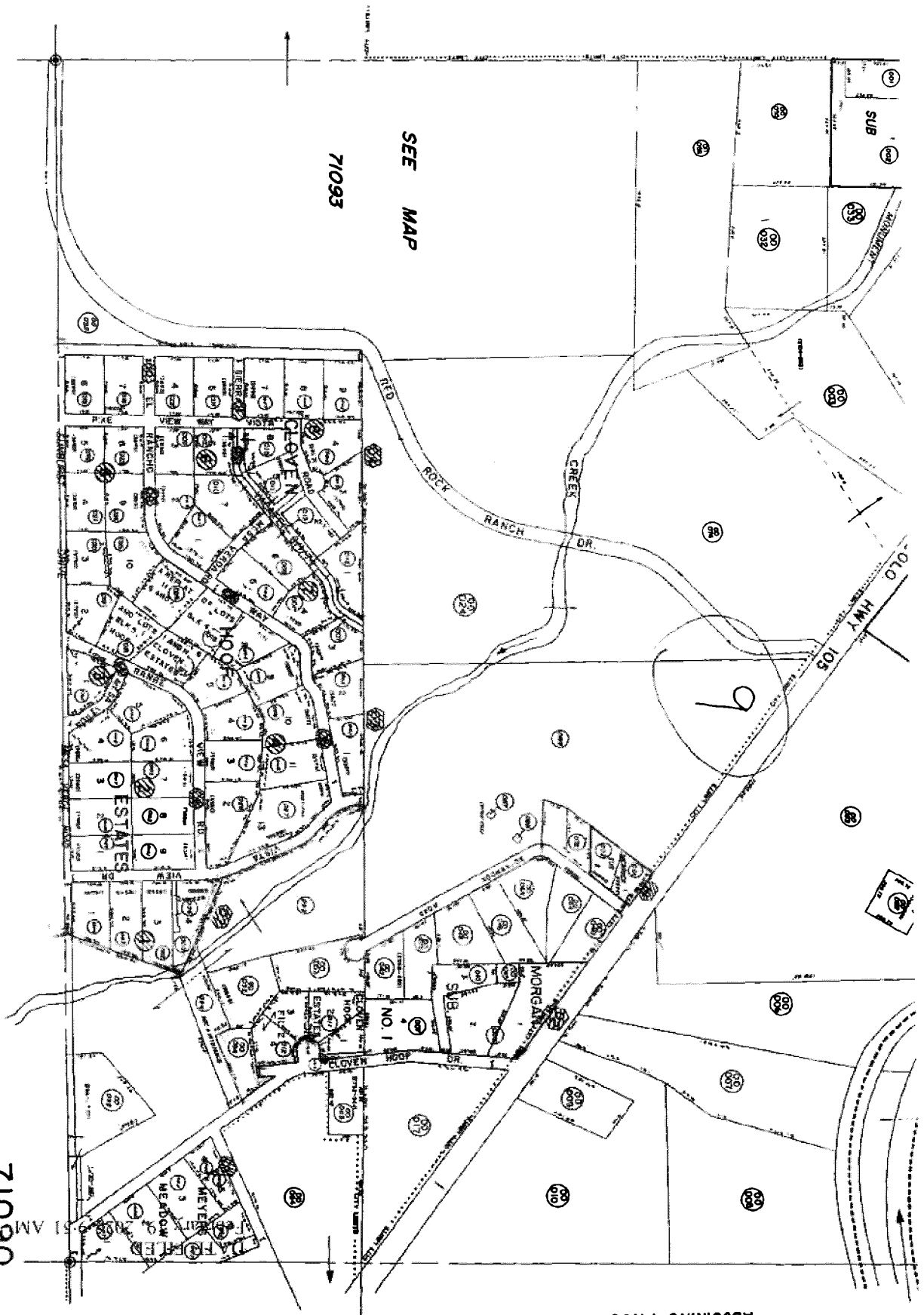
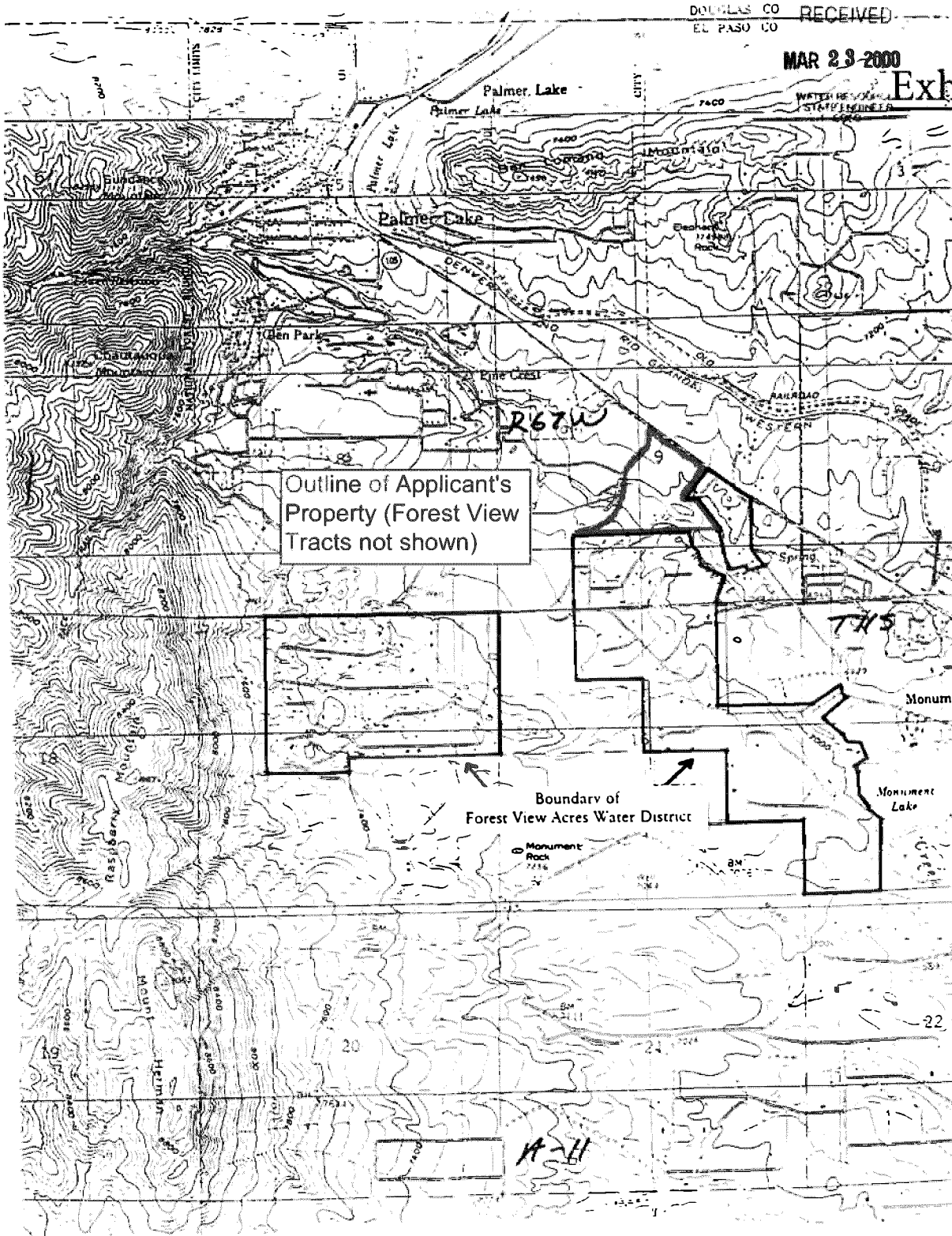


Exhibit B

DOUGLAS CO RECEIVED
EL PASO CO

MAR 23 2000

Exhibit B



Outline of Applicant's Property (Forest View Tracts not shown)

Boundary of Forest View Acres Water District

*Red line is located
boundary per 01/15/00
plat map 100K
1/15/00 2 23 22*